

ISLAMIC LAWS

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According to the Fatwas of His Eminence
al-Sayyid Ali al-Husayni al-Sistani



VOLUME ONE: RITUAL ACTS OF WORSHIP

a new annotated translation by
Mohammed Ali Ismail

THE WORLD FEDERATION

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THE
WORLD
FEDERATION
OF KHOJA SHIA ITHNA-ASHERI MUSLIM COMMUNITIES

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Foreword

By the grace of Allah, The World Federation is pleased to present to the community the first volume of a new translation of the *Tawdīh al-Masā'il* of His Eminence al-Sayyid Ali al-Husayni al-Sistani (may Allah protect him). The first translation of this work, by Mulla Asgharali M. M. Jaffer, was published by The World Federation in 1994. This edition contains new rulings, as well as changes to some previous rulings, and is annotated by the translator.

Throughout this project we have kept the Office of His Eminence al-Sistani informed and updated. The work has been long-awaited and much-demanded by many community members. The Islamic Education Department of The World Federation has tried for many years to make this a reality but constantly faced obstacles in this task. We were therefore delighted when Shaykh Mohammed Ali Ismail accepted the challenge and agreed to translate this most vital work for us. Not only is this a high-quality translation but it is also a well-researched work that contains helpful footnotes as well as numerous clarifications in square brackets, which will assist readers to better understand the rulings and perform their duties to Allah. A glossary of legal terms and an appendix featuring a table of weights and measures are also useful additions.

I also acknowledge and appreciate the efforts of the editors as well as the support of The World Federation office bearers. A special word of thanks goes to Sayyid Aliraza Naqvi, formerly The World Federation's Assistant Secretary General responsible for Islamic Education, as it was he who commenced this project. May Allah reward them and everyone else who has contributed to this work with the best in this life and in the hereafter, and may He grant them all increased success and grace.

KUMAIL RAJANI

Head of Islamic Education Department, The World Federation
Qum, Jumādā al-Ūlā 1436 / March 2015

Translator's Preface

In the name of Allah, the All-Beneficent, the Ever-Merciful.

All praise is for Allah, Lord of the worlds.

May Allah bless Muḥammad and his pure progeny.



The current volume represents a translation of the section pertaining to ritual acts of worship in the Persian *Tawḍīḥ al-Masā'il* (literally, *Explanation of Rulings*) of His Eminence Ali al-Husayni al-Sayyid al-Sistani. The text used for this translation is the thirty-first edition, published in 2014 by the Qum office of His Eminence. The following is a list of the most important conventions that have been adopted in this work.

1. The particular wording employed by a jurist in his rulings is highly significant; sometimes, even small differences in expression can impact greatly on people's lives. With this in mind, and given that the present work is a translation of a manual of jurisprudential rulings, the aim has been to produce a translation that is as close to the original wording as possible. However, where this approach would have produced unfamiliar or unclear expressions in English, a more idiomatic style has been adopted.
2. Annotations and glosses have been added in an effort to enhance the reader's understanding of the rulings and to facilitate cross-referencing with other parts of the work. Many of these annotations and glosses have been based on al-Sayyid al-Sistani's other works on Islamic law, particularly *Minhāj al-Ṣāliḥīn*.
3. In order for all aspects of the work to be accessible to as many English-speaking people around the world as possible, the standard Arabic spelling and pronunciation has been used as a model for the transliteration of legal terminology; for example, '*qurbah*' and '*awwal*' have been preferred to '*qurba*' and '*avval*'. For the same reason, in the case of compound terms, the Arabic form has been preferred; for example, '*ahl al-kitāb*'

and '*al-iḥtiyāt al-wājib*' have been used instead of '*ahl-i kitāb*' and '*iḥtiyāt-i wājib*'.

4. The transliteration of those Arabic parts of the text that in practice are meant to be articulated verbally has aimed to facilitate a more natural and uninterrupted pronunciation of the words and sentences. For example, in the section on the translation of prayers, '*iḥdinaṣ ṣirāṭal mustaqīm*' has been preferred to '*iḥdinā al-ṣirāṭ al-mustaqīm*'.
5. To avoid making the text longer and more complex than necessary by constantly stating 'he/she' in rulings common to both genders, the word 'he' is used to refer to both a man and a woman except when the ruling is such that it can only apply to one gender.
6. The words 'should' and 'should not' are used in the context of recommendations and disapprovals, whereas 'must' and 'must not' refer to instructions that are obligatory to follow.
7. In the original work, many parts of the text that are in Arabic – including nearly all the supplications – are not translated into Persian. However, it was felt that all the Arabic text should be translated into English and included in the current work for the benefit of readers with little or no knowledge of Arabic.
8. In order to produce a more fluid text, the use of square brackets to indicate the inclusion of words that are not in the original work has been kept to a minimum.
9. Legal terminology has been translated into English on the first occasion in each chapter. Upon subsequent use of these terms, only the original Arabic word or its English equivalent is given, depending on which one was deemed to be more familiar to the majority of English-speaking Shia Muslims, or in some cases, more suited to the particular context. In the main headings, however, both the key Arabic and English terms have been mentioned. Original terms and their translations can also be found in the glossary and appendix at the end of the book.
10. All translations of Qur'anic passages are from Ali Quli Qara'i's *The Qur'an: With a Phrase-by-Phrase English Translation* (London: ICAS Press, 2005).
11. The invocation '*ṣallal lāhu 'alayhi wa ālih*' (may Allah bless him and his progeny) after the mention of Prophet Muḥammad has been indicated by the abbreviation 'Ṣ'; similarly, the invocation

‘alayhis/‘alayhas/‘alayhimus salām (peace be upon him/her/them) after the mention of one or all of the Imams, or Lady Fāṭimah, has been indicated by the abbreviation ‘A’.

I would like to take this opportunity to thank Shaykh Abbas Mohamed Husein Ismail and Dr Amir Dastmalchian for editing and proofreading this work. I am also grateful to Mohammad Mehdi Baghi for his amiable assistance with the meaning of certain words and phrases in the original text. Warm thanks are due to Shaykh Kumail Rajani, The World Federation’s Head of Islamic Education, for his perceptive observations in the final draft of the text. I am grateful to the offices of His Eminence al-Sayyid al-Sistani in Qum and in London for providing clarification on certain rulings. My appreciation also goes to Sayyid Aliraza Naqvi, formerly The World Federation’s Assistant Secretary General responsible for Islamic Education, for initiating the project which has resulted in this translation and for his support throughout. Finally, I am thankful to my wife for all her contributions during the course of this work.

I beseech Allah, without whose grace nothing can come to fruition, to accept the efforts of all those who have been His agents in this project and to bless us all with the success to worship Him as true servants.

MOHAMMED ALI ISMAIL

London, Jumādā al-Ūlā 1436 / March 2015

Transliteration

Arabic terms which do not have standard spellings in English have been transliterated according to the system set out on this page.

ء	a, i, or u (initial form)	ل	l
ء	' (medial or final form)	م	m
ا	a	ن	n
ب	b	هـ	h
ت	t	و	w
ث	th	ي	y
ج	j	ة	h (without <i>iḍāfah</i>)
ح	ḥ	ة	t (with <i>iḍāfah</i>)
خ	kh	ـ	ـ
د	d	الـ	al- *
ذ	dh	ـ	a
ر	r	ـ	i
ز	z	ـ	u
س	s	أ / آ / ئ	ā
ش	sh	يـ	ī
ص	ṣ	وـ	ū
ض	ḍ	آ	'ā (medial form)
ط	ṭ	يـ	ay
ظ	ẓ	يـ	ayy
ع	ʿ	يـ	iyy (medial form)
غ	gh	يـ	ī (final form)
ف	f	وـ	aw
ق	q	وـ	aww
ك	k	وـ	uww

* This does not apply, however, to those Arabic parts of the text that in practice are meant to be articulated verbally. See the fourth convention mentioned in the Translator's Preface.

CHAPTER ONE

Following a Jurist (*Taqlīd*)

In the name of Allah, the All-Beneficent, the Ever-Merciful.
All praise is for Allah, Lord of the worlds. May there be blessings and peace upon the most noble of the Prophets and Messengers, Muḥammad, and his good and pure progeny. May there be a perpetual curse upon all of their enemies from now until the resurrection on the Day of Retribution.



Ruling 1. A Muslim's belief in the fundamentals of religion (*uṣūl al-dīn*) must be based on personal insight [i.e. grounded in reason], and he cannot follow anyone in the fundamentals of religion; i.e. he cannot accept the word of someone who knows about the fundamentals of religion simply because that person said so. However, in the event that a person has certainty (*yaqīn*) in the rightful beliefs of Islam and expresses them – even though this certainty may not be based on insight – then that person is a Muslim and a believer and all the laws (*aḥkāṁ*) of Islam and the faith are applicable to him.

However, in matters concerning the laws of religion – apart from those that are indispensable and indisputable [such as the obligation to perform prayers (*ṣalāh*)] – a person must either be a jurist (*mujtahid*)¹ who is capable of ascertaining laws based on proof, or he must follow a *mujtahid* [i.e. do *taqlīd*], or he must exercise precaution (*iḥtiyāt*) by performing his duty in a way that he is certain to have fulfilled his responsibility (*taklīf*).

An example of exercising precaution: if a group of *mujtahids* consider an act unlawful (*ḥarām*) and another group say it is not unlawful, the person must not perform that act.

Another example of exercising precaution: if a group of *mujtahids* consider an act obligatory (*wājib*) and another group consider it recommended (*mustaḥabb*), the person must perform it.

Therefore, it is obligatory on those who are not *mujtahids* and who cannot act on precaution to follow a *mujtahid*.

Ruling 2. Following a jurist in Islamic laws means acting in accord-

¹ A *mujtahid* is a person who has attained the level of *ijtihād*, qualifying him to be an authority in Islamic law. *Ijtihād* is the process of deriving Islamic laws from authentic sources.

ance with a *mujtahid*'s instructions. Only a *mujtahid* who is male, of the age of legal responsibility (*bāligh*), sane (*āqil*), a Twelver (Ithnā 'Asharī) Shia, of legitimate birth, living, and just (*ādil*), can be followed.

A 'just' person is someone who does the things that are obligatory on him and refrains from doing the things that are unlawful for him. The sign of being 'just' is that one appears to be a good person, such that if local people, neighbours, or those who associate with him were to be asked about him, they would confirm his good character.

In cases where it is known, albeit vaguely, that there are differences in the fatwas [as defined in Ruling 4 below] of *mujtahids* in matters that are commonly encountered, it is necessary to follow the *mujtahid* who is the most learned (*a'lam*); i.e. the one most capable of understanding the law (*ḥukm*) of Allah from among all the *mujtahids* of his time.

Ruling 3. A *mujtahid* or the most learned can be identified in one of three ways:

1. a person himself is certain [that someone is a *mujtahid* or the most learned]. For example, the person himself is a scholar and is able to identify a *mujtahid* and the most learned;
2. two learned and just people who are able to distinguish a *mujtahid* and the most learned confirm that someone is a *mujtahid* or the most learned, provided that two other learned and just people do not disagree with their statement. In fact, being a *mujtahid* or the most learned is also established by even one expert (*ahl al-khibrah*) whom one trusts;
3. a person attains confidence (*iṭmi'nān*) that a person is a *mujtahid* or the most learned by rational means. For example, a group of scholars that are able to distinguish a *mujtahid* and the most learned and from whose statements one gains confidence, confirm that someone is a *mujtahid* or the most learned.

Ruling 4. There are four ways to obtain a fatwa, i.e. a religious verdict issued by a *mujtahid*:

1. hearing it from the *mujtahid* himself;
2. hearing it from two just people who narrate the *mujtahid*'s fatwa;

3. hearing it from someone whose word one trusts;
4. reading it in the manual of Islamic rulings (*risālah*) of the *mujtahid*, on condition that one has confidence in the manual being correct.

Ruling 5. As long as a person is not certain that the *mujtahid*'s fatwa has changed, he can act according to what is written in his manual of Islamic rulings. Furthermore, if a person deems it probable that a fatwa has changed, it is not necessary for him to investigate.

Ruling 6. If the most learned *mujtahid* gives a fatwa on any matter, a follower (*muqallid*) of his cannot act upon another *mujtahid*'s fatwa in that matter.

However, if he does not give a fatwa and says that based on precaution (*iḥtiyāt*), such and such action must be taken – for example, he says: based on precaution, in the first and second units (*rak'ah*) of a prayer, a complete chapter (*surah*) of the Qur'an must be recited after Surat al-Ḥamd – then the follower must either act in accordance with this precaution, which is known as 'obligatory precaution' (*al-iḥtiyāt al-wājib*) or 'necessary precaution' (*al-iḥtiyāt al-lāzim*),² or he must act in accordance with the fatwa of the next most learned *mujtahid*;³ and if the next most learned *mujtahid* regards the recitation of only Surat al-Ḥamd as being sufficient, he can choose not to recite the other *surah*.

The same applies [i.e. it amounts to saying that the ruling is based on obligatory precaution] when the most learned *mujtahid* says the matter is one of 'deliberation' (*maḥall al-ta'ammul*) or 'problematic' (*maḥall al-ishkāl*).

Ruling 7. If the most learned *mujtahid*, before or after giving a fatwa on a matter, expresses precaution – for example, he says: an impure (*najis*) container that is washed once in *kurr*⁴ water becomes pure

² To avoid over-complicating the text, and given that '*al-iḥtiyāt al-wājib*' and '*al-iḥtiyāt al-lāzim*' refer to the same thing, both terms have been translated in the present work as 'obligatory precaution'.

³ In the terminology of Islamic jurisprudence, acting on the fatwa of the next most learned *mujtahid* when one's *marja'* has stated that a ruling is based on obligatory precaution is known as '*rujū'*'.

⁴ A quantity of water greater or equal to approximately 384 litres. See Ruling 14.

(*tāhir*), although based on precaution it should be washed three times – his follower does not have to perform this precautionary measure [but is recommended to]. This is called ‘recommended precaution’ (*al-iḥtiyāt al-mustaḥabb*).

Ruling 8. If a *mujtahid* whom a person is following [i.e. doing *taqlid* of] dies, his authority after his death is the same as his authority when he was alive. Therefore, if he is more learned than a living *mujtahid*, the follower who has a general notion about there being a difference [of opinion between the two *mujtahids*] in rulings (*masā'il*) that he commonly encounters, must continue following him. However, in the event that a living *mujtahid* is more learned than him, he must refer to the living *mujtahid*.

If it is not known who is the most learned among the *mujtahids* or they are equal, in case it is established that one of them is more cautious than the other – i.e. he exercises more caution in giving fatwas – then that *mujtahid* must be followed. However, if it is not established which one is more cautious, then the follower has the choice to act according to the fatwa of whichever *mujtahid* he wants, except in cases of ‘non-specific knowledge’ (*al-‘ilm al-ijmālī*) or the arising of ‘non-specific authority’ (*al-ḥujjat al-ijmāliyyah*) over responsibility. For example, in case there is a difference of opinion with regard to performing the shortened (*qaṣr*) or complete (*tamām*) form of the prayer [in a particular situation], he must, based on obligatory precaution, observe the fatwa of both *mujtahids*.⁵

The term ‘*taqlid*’ mentioned at the outset of this ruling simply means undertaking to follow the fatwa of a particular *mujtahid*; it

⁵ The terms mentioned in this part of the ruling refer to concepts discussed in the Islamic science known as the ‘principles of jurisprudence’ (*uṣūl al-fiqh*). Although the scope of the present work does not allow for a detailed explanation of these concepts, it would be appropriate to expand a little on the example used in the text concerning ‘non-specific knowledge’. Suppose a person finds himself in a situation where he is certain that he must perform prayers but he does not know whether his duty is to perform prayers in their shortened form – as a traveller would be required to – or in their complete form. This state of knowledge (i.e. the certainty of the general duty to perform prayers) that is accompanied by doubt concerning one’s exact duty (i.e. whether to perform the shortened or the complete form of the prayer) is known as ‘non-specific knowledge’. In this example, the person would need to perform both possibilities – i.e. the shortened and complete forms of the prayer – in order to be certain that he has fulfilled his duty.

does not mean acting in accordance with his instructions.⁶

Ruling 9. It is necessary for a *mukallaf* to learn those rulings that he considers he probably needs to learn in order to avoid sinning. 'Sinning' means not performing obligatory acts and performing unlawful acts.

Ruling 10. If a person comes across a matter for which he does not know the Islamic ruling, it is necessary for him to act with caution, or to follow a *mujtahid* according to the aforementioned conditions. However, in the event that a person does not have access to the fatwa of the most learned *mujtahid*, it is permitted (*jā'iz*) for him to follow the next most learned *mujtahid*.

Ruling 11. If someone relates a *mujtahid*'s fatwa to a second person, in the event that the *mujtahid*'s fatwa changes, it is not necessary for him to inform that second person that the fatwa of the *mujtahid* has changed. However, if after relating a fatwa a person realises that he has made a mistake and his statement will cause that second person to act against his legal duty, he must, based on obligatory precaution, rectify his mistake if possible.

Ruling 12. If for a period of time a *mukallaf* performs his actions without following a *mujtahid*, there are two situations to consider: the first is that his actions were in actual fact correctly performed, or they happened to be in accordance with the fatwa of a *mujtahid* who at present could be his *marja'*,⁸ in this case his actions are valid (*ṣaḥiḥ*). The second is that he was inculpably ignorant (*al-jāhil al-qāṣir*),⁹ and his defective actions were not elemental actions (*arkān*)¹⁰ and

⁶ Therefore, one is considered to be a *muqallid* from the time he makes the intention to follow a particular *mujtahid*, even if he has not yet acted in accordance with that *mujtahid*'s fatwas.

⁷ A *mukallaf* is someone who is legally obliged to fulfil religious duties.

⁸ A *marja'* is a jurist who has the necessary qualifications to be followed in matters of Islamic jurisprudence (*fiqh*). See Ruling 2.

⁹ 'Inculpably ignorant' (*al-jāhil al-qāṣir*) is a term used to refer to someone who has a valid excuse for not knowing; for example, he relied upon something that he thought was authoritative but in fact was not.

¹⁰ *Arkān* is plural of *rukṇ* and refers to the elemental components of acts of worship. There are specific rules that govern the validity of acts of worship if a *rukṇ* is omitted

suchlike; in this case as well, his actions are valid.

Similarly, [one's actions are deemed to be valid] if he was culpably ignorant (*al-jāhil al-muqaṣṣir*)¹¹ and his defective actions were of the type that if performed unknowingly they are valid, such as reciting [Surat al-Ḥamd and the second surah in prayers] aloud (*jahr*) instead of reciting them in a whisper (*ikhfāt*), or vice versa.¹²

Similarly, if a person does not know how he performed his actions, they are deemed to have been performed correctly, apart from a few cases that are mentioned in *Minhāj*.¹³

or added. For example, with regard to prayers, the omission of a *rukṇ* renders the prayer invalid (*bātil*). See Ruling 928.

¹¹ 'Culpably ignorant' (*al-jāhil al-muqaṣṣir*) is a term used to refer to someone who does not have a valid excuse for not knowing; for example, he was careless in learning religious laws.

¹² See Ruling 981.

¹³ This is a reference to *Minhāj al-Ṣāliḥīn*, al-Sayyid al-Sistani's more detailed work on Islamic law.

CHAPTER TWO

Purification (*Ṭahārah*)

UNMIXED (*MUṬLAQ*) AND MIXED (*MUḌĀF*) WATER

Ruling 13. Water is either ‘unmixed’ or ‘mixed’. ‘Mixed’ water is either water obtained from something, such as watermelon juice or rose water; or it is water that has been mixed with something else, such as water that has been mixed with some mud etc., such that it can no longer be called ‘water’. If water is not of the above type, it is ‘unmixed’; and unmixed water is of five types:

1. *kurr* water;
2. *qalīl* water;
3. flowing water;
4. rainwater;
5. well water.

1. *Kurr* water

Ruling 14. *Kurr* water is an amount of water that fills a container which has dimensions [i.e. length, breadth, and depth] totalling thirty-six hand spans,¹ and this is equivalent to approximately 384 litres.

Ruling 15. If an intrinsic impurity (*‘ayn al-najāsah*) – such as urine or blood – or something that has become impure (*mutanajjis*) – such as impure clothing – comes into contact with *kurr* water, in the event that *kurr* water acquires the smell, colour, or taste of that impurity, it becomes impure; but if the *kurr* water does not change [in its smell, colour, or taste], it does not become impure.

Ruling 16. If the smell, colour, or taste of *kurr* water changes by means of something that is not impure, it does not become impure.

Ruling 17. If an intrinsic impurity like blood comes into contact with water that is more than *kurr* and changes part of its smell, colour, or taste, in the event that the amount that has not changed is less than *kurr*, all the water becomes impure; and if [the amount that has not changed] is equal to *kurr* or more, only the amount that has changed

¹ An average span is approximately 22 centimetres. [Author]

its smell, colour, or taste is impure.

Ruling 18. The water of a fountain that is connected to *kurr* water purifies impure water. However, if it falls on impure water drop by drop, it does not purify it unless something is held over the fountain so that before the water begins to fall drop by drop, it connects to the impure water; and in order for the fountain water to purify the impure water, it is necessary that it mixes with the impure water.

Ruling 19. If an impure object is washed under a tap that is connected to *kurr* water, the water that drips from that object is pure (*tāhir*) if it is connected to *kurr* water and has not acquired the smell, colour, or taste of the impurity and does not contain an intrinsic impurity.

Ruling 20. If some part of *kurr* water freezes and the remaining water does not amount to *kurr*, in the event that an impurity comes into contact with it, it becomes impure; and however much of the ice melts is also impure.

Ruling 21. With regard to water that had been equivalent to *kurr*, if one doubts (i.e. has a *shakk*) whether it has become less than *kurr* or not, it will be treated as *kurr* water, meaning that it can still purify an impure object and if an impurity makes contact with it, it does not become impure [as long as its smell, colour, or taste does not change]. As for water that had been less than *kurr*, if one doubts whether it has become equal to *kurr* or not, it is ruled as (i.e. it has the *ḥukm* of) being less than *kurr*.

Ruling 22. There are two ways to establish that a quantity of water is *kurr*:

1. one is certain (i.e. he has *yaqīn*) or confident (i.e. he has *īmān*) about it;
2. two just (*ʿādil*) men report it as so; however, if one just or trustworthy person or someone who has possession of the *kurr* water reports it as so, and if his report does not give one confidence as to it being true, then considering such a report as being credible is problematic (*maḥall al-ishkāl*) [i.e. based on

obligatory precaution (*al-iḥtiyāt al-wājib*), one must not consider the report to be credible].²

2. *Qalīl* water

Ruling 23. *Qalīl* water is water that does not gush from the earth and is less than *kurr*.

Ruling 24. If *qalīl* water is poured onto an impure object or an impure object comes into contact with *qalīl* water, the *qalīl* water becomes impure. However, if *qalīl* water is poured over an impure object from above, then the amount that comes into contact with the object is impure, and the amount that does not come into contact with it is pure.

Ruling 25. If *qalīl* water is poured onto an impure object in order to remove an intrinsic impurity from it and the *qalīl* water separates from the impure object, and if the impure object is from among those things that do not become pure by washing once,³ in such a case, the *qalīl* water [that has separated from it] is impure. Similarly, if after removing the intrinsic impurity, *qalīl* water is poured onto an impure object in order to purify it and the *qalīl* water separates from it, then based on obligatory precaution, it is impure.

Ruling 26. *Qalīl* water with which the urinary outlet or the anus are washed does not make anything it comes into contact with impure, provided that five conditions are met:

1. it does not acquire the smell, colour, or taste of the impurity;
2. another impurity has not come into contact with it;
3. another impurity, such as blood, has not come out with the urine or faeces;
4. particles of faeces do not appear in the water;
5. a more than usual amount of impurity has not spread around the urinary outlet or the anus.

² As mentioned in Ruling 6, the term 'problematic' (*maḥall al-ishkāl*) amounts to saying the ruling is based on obligatory precaution.

³ Such as the inside of an impure container. See Ruling 144.

3. Flowing water

Flowing water is water that: (1) has a natural source; (2) flows, even if it is made to flow by some means; (3) is continuous, generally speaking. It is not necessary that the water be connected to a natural source; therefore, if it is naturally disconnected from it – such as water falling from above in the form of drops – then as long as it flows on the earth, it is considered to be flowing water. However, if something becomes an obstacle to the water connecting to the source – for example, something becomes an obstacle to the water falling or gushing, or disconnects it from the source – then the remaining water is not ruled as being flowing water even if it flows on the earth.

Ruling 27. In the event that an impurity makes contact with flowing water – even if it is less than *kurr* – as long as the smell, colour, or taste of the water does not change by means of the impurity, it is pure.

Ruling 28. If an impurity makes contact with flowing water, the amount of flowing water that changes in smell, colour, or taste by means of the impurity is impure. Flowing water that is connected to a spring is pure even if it is less than *kurr*; and if the water that is on the other side of the stream is equal to *kurr* or it is connected to the spring by means of water that has not changed, it is pure; otherwise, it is impure.

Ruling 29. The water of a spring that is not flowing but is such that if water is taken from it water gushes out again, is not ruled as flowing water, meaning that if an impurity comes into contact with it and the water is less than *kurr*, it becomes impure.

Ruling 30. Water that is stagnant at the side of a stream and is connected to flowing water is not ruled as being flowing water.

Ruling 31. A spring that, for example, gushes in winter but does not gush in summer is ruled as being flowing water only when it gushes.

Ruling 32. If the water of a basin in a public bath is less than *kurr*, and the water is connected to the water of a tank which together with the water of the basin equals *kurr*, in the event that the water of the

basin comes into contact with an impurity but its smell, colour, or taste does not change, the water does not become impure.

Ruling 33. With regard to water that pours out from taps and showers and flows in the pipes of bathrooms and buildings, if it is connected to a source that is equal to or greater than *kurr*, it is ruled as being *kurr*.

Ruling 34. With regard to water that flows on the earth but does not gush from it, in the event that it is less than *kurr* and an impurity comes into contact with it, it becomes impure. However, if the water flows from above and an impurity reaches its lower part, its upper part does not become impure.

4. Rainwater

Ruling 35. If rain falls once on an impure object that does not contain an intrinsic impurity, the area that comes into contact with the rain becomes pure. However, if a person's body or some clothing has become impure by urine, then based on obligatory precaution, rain must fall on it twice for it to become pure. With carpets, clothing, and similar things, wringing out the rainwater is not necessary. Of course, a few drops of rain fall will not suffice; rather, it must be such that one can say it is raining.

Ruling 36. If rain falls on an intrinsic impurity and the water splashes, in the event that none of the intrinsic impurity is included in the splashed water and the water does not acquire the smell, colour, or taste of the impurity, the water is pure. Therefore, if rain falls on blood and the water splashes, in the event that particles of blood are present in the water or it acquires the smell, colour, or taste of blood, it is impure.

Ruling 37. If there is an intrinsic impurity on the roof of a building, then as long as it keeps raining on the roof, any water that comes into contact with the impure object and then falls down from the roof or gutter is pure. However, after it stops raining, if the water that falls from the roof or gutter is known to have made contact with the impure object, then that water is impure.

Ruling 38. Ground that is impure becomes pure if rain falls on it; and if rainwater begins to flow on the ground and while it is still raining it comes into contact with an impure area under a roof, it purifies that area as well.

Ruling 39. If impure soil is completely soaked by rainwater, it becomes pure on condition that it is not known whether or not the water has turned into mixed water by means of it coming into contact with soil.

Ruling 40. Whenever rainwater collects in a place – even if its quantity is less than *kurr* – in the event that an impure object is washed in it while it is raining and the water does not acquire the smell, colour, or taste of the impurity, the impure object becomes pure.

Ruling 41. If rain falls on a carpet that is pure and which is spread on ground that is impure, and if while it is raining the water soaks through the carpet and comes into contact with the ground, the carpet does not become impure and the ground becomes pure.

5. Well water

Ruling 42. With regard to well water that gushes from the ground – even if its quantity is less than *kurr* – in the event that an impurity comes into contact with it, as long as its colour, smell, or taste does not change it, it is pure.

Ruling 43. If an impurity falls into a well and changes the water's smell, colour, or taste, in the event that the change in the water disappears, it becomes pure. However, the water becoming pure is, based on obligatory precaution, conditional on it mixing with the water that gushes from the well.

LAWS RELATING TO THE DIFFERENT TYPES OF WATER

Ruling 44. Mixed water – the meaning of which was explained in Ruling 13. does not purify an impure object, and ritual bathing (*ghusl*)

and ablution (*wuḍūʿ*) performed with it are invalid (*bāṭil*).

Ruling 45. Mixed water – even if its quantity equals *kurr* – becomes impure if a particle of an impurity comes into contact with it. However, in the event that it is poured from above onto an impure object, the amount that comes into contact with the impurity is impure, and the amount that does not come into contact with it is pure. For example, if rose water is poured from a rose water bottle onto a hand that is impure, the amount that makes contact with the hand is impure, and the amount that does not make contact with the hand is pure.

Ruling 46. If impure mixed water is mixed with *kurr* water or flowing water in a way that it can no longer be called ‘mixed water’, it becomes pure.

Ruling 47. Water that was unmixed and it is not known whether or not that water has become mixed is deemed to be unmixed, meaning that it purifies an impure object, and *wuḍūʿ* and *ghusl* performed with it are valid (*ṣaḥīḥ*). Furthermore, water that was mixed and it is not known whether or not that water has become unmixed is deemed to be mixed, meaning that it does not purify an impure object, and *wuḍūʿ* and *ghusl* performed with it are invalid.

Ruling 48. If it is not known whether some water is unmixed or mixed, or whether it was previously unmixed or mixed, then such water does not purify an impure object, and *wuḍūʿ* and *ghusl* performed with it are invalid; and in the event that an impurity makes contact with it and the water is less than *kurr*, it becomes impure; and if it is equal to or more than *kurr*, then based on obligatory precaution, it also becomes impure.

Ruling 49. If an intrinsic impurity like blood or urine comes into contact with water and changes its smell, colour, or taste, then even if it is *kurr* or flowing water it becomes impure. In fact, even if the smell, colour, or taste of the water changes by means of an impurity that is outside it – for example, an impure carcass that is lying by the side of the water changes the water’s smell – then based on obligatory precaution, the water also becomes impure.

Ruling 50. With regard to water into which an intrinsic impurity like blood or urine has fallen and there is a change in its smell, colour, or taste, in the event that it is connected to *kurr* or flowing water, or it rains on it, or wind makes the rain fall on it, or rainwater flows on it from a gutter while it is raining, in all of these cases, if the change disappears, it becomes pure. However, the rainwater, *kurr* water, or flowing water must become mixed with it for it to be considered pure.

Ruling 51. If an impure object is purified in *kurr* or flowing water, the water that drips from the object after the final wash that makes the object pure,⁴ and after the object has been taken out of the water, is pure.

Ruling 52. Water that was pure and it is not known whether it has become impure or not is pure; and water that was impure and it is not known whether it has become pure or not is impure.

LAWS RELATING TO EMPTYING THE BOWELS AND THE BLADDER

Ruling 53. It is obligatory (*wājib*) for one to cover his private parts when emptying his bowels and/or bladder, and at other times, from people who are *mukallaf*,⁵ even if they are his *mahram*,⁶ like his mother and sister. Similarly, it is obligatory for one to cover his private parts from an insane person and from a child who is *mumayyiz*, i.e. someone who is able to discern between right and wrong. However, it is not necessary for a husband and wife to cover their private parts from each other.

Ruling 54. It is not necessary for one to cover his private parts with

⁴ The number of times a particular object has to be washed in order for it to be purified depends on the type of object it is, the thing that made it impure, and the type of water it is washed with. For example, a container that has become impure with wine is purified by washing it three times with *kurr* water, flowing water, or suchlike. See Ruling 147.

⁵ A *mukallaf* is someone who is legally obliged to fulfil religious duties.

⁶ A *mahram* is a person whom one is never permitted to marry on account of being related to them in a particular way; for example, by being their parent or sibling.

a particular object, and if, for example, he covers his private parts with his hand, it will suffice.

Ruling 55. Based on obligatory precaution, when one is emptying his bowels and/or bladder, neither the front of the body – i.e. the stomach and chest – nor the back must face qibla.⁷

Ruling 56. When one is emptying his bowels and/or bladder, if the front or back of one's body faces qibla and he turns his private parts away from qibla, it will not suffice. Furthermore, the obligatory precaution is that when one is emptying his bowels and/or bladder, he must not sit in a way that his private parts face qibla, nor must he sit in a way that his private parts face in the direction that is directly opposite qibla.

Ruling 57. The recommended precaution (*al-iḥtiyāt al-mustaḥabb*) is that the front or back of one's body should not face qibla while performing *istibrā'*⁸ – the laws (*aḥkām*) of which will be mentioned later – nor while purifying the urinary outlet and the anus.

Ruling 58. If a person is obliged to face his front or back to qibla so that someone who is not his *maḥram* does not see him, then based on obligatory precaution, he must sit with his back facing qibla.

Ruling 59. The recommended precaution is that a child should not be made to sit in a way that his front or back faces qibla when he is emptying his bowels and/or bladder.

Ruling 60. It is unlawful (*ḥarām*) for one to empty his bowels and/or bladder in four places:

1. in dead-end alleys without the permission of the owners. The same applies to public alleys and roads in the event that it causes harm to pedestrians;
2. on the property of someone who has not given permission for one to empty his bowels and/or bladder on it;
3. in a place that is a charitable endowment (*waqf*) for use by

⁷ Qibla is the direction towards the Ka'bah in Mecca.

⁸ *Istibrā'* here refers to the process of clearing the male urethra after urinating.

particular groups, such as some schools;

4. on the graves of believers, whether it is disrespectful to them or not, except if the land is *al-mubāḥāt al-aṣṭiyyah* [i.e. property that does not belong to anyone in particular and can be used by people in general]; and the same applies to any place where emptying one's bowels and/or bladder causes dishonour to one of the sacred things of the religion or faith.

Ruling 61. In three cases, the anus can be purified with water only:⁹

1. another impurity like blood comes out with the faeces;
2. an external impurity comes into contact with the anus, except if urine comes into contact with the anus in the case of women;
3. if the area around the anus has become impure by an amount that is more than usual.

In cases other than these three, the anus can be purified with water, or, in accordance with the instructions that will be mentioned later, it can be purified with cloth, stone, or a similar thing, although it is better to wash it with water.

Ruling 62. The urinary outlet does not become pure with anything other than water and washing it once is sufficient, although the recommended precaution is that it should be washed twice, and it is even better to wash it three times.

Ruling 63. If the anus is washed with water, no trace of faeces must remain on it. However, there is no problem if the colour and smell remain; and if after the first time it is washed no particle of faeces remains, it is not necessary to wash it again.

Ruling 64. The anus can be purified with stone, a clod of earth, cloth, or a similar thing if they are dry and pure; and there is no problem if they have a little moisture that does not wet the outlet.

Ruling 65. It suffices if the anus is completely purified once with stone, a clod of earth, or cloth. However, it is better to purify it three times

⁹ Rulings 61–68 concern a matter that is referred to in Islamic law as '*istinjā*', i.e. purification of the anus and the urinary outlet.

by using three pieces; and if it does not become purified after three times, one must keep trying to purify it until it becomes completely purified. However, there is no problem if traces remain that are not normally removed except by washing.

Ruling 66. It is unlawful to purify the anus with things that must be respected, such as paper on which the name of Allah and the Prophets are written. There is no problem in purifying the anus with a bone or with dung.

Ruling 67. If a person doubts whether or not he has purified the anus or urinary outlet, it is necessary that he purifies it even if he habitually purifies it immediately after emptying his bowels and/or bladder.

Ruling 68. If after performing prayers (*ṣalāh*) one doubts whether or not he had purified the anus or urinary outlet before performing prayers, the prayers that he performed are valid but he must purify the anus or urinary outlet for the next prayer.

CLEARING THE MALE URETHRA OF URINE (*ISTIBRĀ'*)

Ruling 69. *Istibrā'* is a recommended (*mustaḥabb*) act performed by men after urinating in order to be confident that no urine is left in the urethra. It is performed in a number of ways; one way is as follows: after urinating, the anus is first purified if it has become impure; then, the middle finger of the left hand is slid three times from the anus up to the scrotum; then, the thumb is placed on the penis and the forefinger is placed under the penis, and the thumb and forefinger are pulled three times along the penis up to the point of circumcision; finally, the end of the penis is pressed three times.

Ruling 70. The fluid that sometimes comes out of the penis as a result of sexual arousal, called '*madhī*', is pure. And the fluid that sometimes comes out after the ejaculation of semen, called '*wadhī*', is also pure. As for fluid that sometimes comes out after urinating

and which is called '*wadī*', if it has not come into contact with urine, it is pure. Furthermore, in the event that a person performs *istibrā'* after urinating and then fluid comes out and he doubts whether it is urine or one of these three fluids, it is pure.

Ruling 71. If a person doubts whether he has performed *istibrā'* or not and fluid comes out and he does not know whether it is pure or not, it is impure; and in the event that he performed *wuḍū'*, his *wuḍū'* becomes void (*bāṭil*). However, if a person doubts whether the *istibrā'* he performed was correct or not and fluid comes out and he is unsure whether it is pure or not, then it is pure and it does not invalidate his *wuḍū'* either.

Ruling 72. If someone who has not performed *istibrā'* becomes confident that no urine is left in the urethra due to the passing of time since he urinated, and if he then sees some fluid and doubts whether it is pure or not, that fluid is pure and it does not invalidate *wuḍū'* either.

Ruling 73. If a person performs *istibrā'* after urinating and then performs *wuḍū'*, in the event that after *wuḍū'* he sees fluid that he knows to be either urine or semen, it is obligatory that as a precaution he performs *ghusl* as well as *wuḍū'*. However, if he had not performed *wuḍū'*, it is sufficient for him to perform *wuḍū'* only.

Ruling 74. There is no *istibrā'* for women after urinating, and if a woman sees fluid and doubts whether it is urine or not, it is pure and it does not invalidate her *wuḍū'* or *ghusl*.

RECOMMENDED (*MUSTAḤABB*) AND DISAPPROVED (*MAKRŪH*) ACTS WHEN EMPTYING THE BOWELS AND THE BLADDER

Ruling 75. When one is emptying his bowels and/or bladder, it is recommended for him to sit in a place where no one sees him; and when entering the lavatory, to enter with the left foot first; and when exiting, to exit with the right foot first. Furthermore, when one is emptying his bowels and/or bladder, it is recommended for him to

cover his head and to place the weight of his body onto his left leg.

Ruling 76. It is disapproved for one to face the sun or the moon when he is emptying his bowels and/or bladder. However, if by some means he covers his private parts, it is not disapproved. It is also disapproved to empty one's bowels and/or bladder while facing the wind, on roads and streets, in alleyways, in front of the door of a house, and under fruit-yielding trees. Furthermore, while one is emptying his bowels and/or bladder, it is disapproved to eat, to take a long time, and to wash with the right hand. It is also disapproved to talk while one is emptying his bowels and/or bladder; there is no problem, however, if one is compelled to talk or if one is remembering Allah (saying *dhikr*).

Ruling 77. It is disapproved to urinate while standing, and on hard ground, and in the nests and dens of animals, and in water – particularly stagnant water.

Ruling 78. It is disapproved to withhold passing faeces and urine; and if withholding is in a general sense harmful for the person, it is unlawful.

Ruling 79. It is recommended that one urinates before offering prayers, before sleeping, before sexual intercourse, and after ejaculation.

IMPURITIES (NAJĀSĀT)

Ruling 80. There are ten things that are impure [intrinsically]:¹⁰

1. urine;
2. faeces;
3. semen;
4. corpse;
5. blood;
6. dog;
7. pig;
8. disbeliever (*kāfir*);

¹⁰ Each of these things is also known as an 'intrinsic impurity' (*'ayn al-najāsah*).

9. wine;
10. sweat of an excrement-eating animal.

1. & 2. Urine and faeces

Ruling 81. The urine and faeces of a human being and every animal whose meat is unlawful to eat and whose blood gushes out – meaning that if its jugular vein is cut, blood runs out with a gush – is impure. The faeces of an animal whose meat is unlawful but whose blood does not gush out, like fish that are unlawful to eat, as well as the droppings of small animals, like mosquitoes and flies that do not have flesh, are pure. Furthermore, the urine of an animal whose meat is unlawful and whose blood does not gush out must be avoided¹¹ [i.e. it is ruled as being impure], based on obligatory precaution.

Ruling 82. The urine and droppings of birds whose meat is unlawful are pure, but it is better to avoid them [i.e. it is better not to rule them as being pure].

Ruling 83. The urine and faeces of an animal who eats excrement are impure, and the same applies to the urine and faeces of a kid [i.e. a baby goat] that has drunk the milk of a pig – as per the details that will be mentioned in the laws relating to types of food and drink – and [the same applies to the urine and faeces of] an animal that a human being has had sexual intercourse with.

3. Semen

Ruling 84. The semen of a man – and of every male animal whose meat is unlawful and whose blood gushes out – is impure. The fluid that comes out of a woman following sexual arousal and causes her to be in a state of ritual impurity (*janābah*) – as per the details that will be mentioned in Ruling 345 – has the ruling of semen. Furthermore, based on obligatory precaution, the semen of an animal whose meat is lawful (*halāl*) and whose blood gushes out must be avoided [i.e. it is ruled as being impure].

¹¹ The term ‘avoided’ (*ijtināb*) here means it cannot be used for anything that is conditional on being pure, such as eating, drinking, and *wuḍūʾ*.

4. Corpse

Ruling 85. The corpse of a human being is impure, as is the carcass of an animal whose blood gushes out, irrespective of whether it died naturally or was killed in a manner that is not instructed by Islamic law. As for fish, as they do not have blood that gushes out, they are pure even if they die in the water.

Ruling 86. Those parts of a corpse or a carcass of an animal [as defined in the previous ruling] that do not contain life – such as wool, fur, fine wool, bones, and teeth – are pure.

Ruling 87. If flesh or something else that contains life is separated from the body of a human being or an animal whose blood gushes out while it is alive, it is impure.

Ruling 88. If small pieces of skin from the lips or other parts of the body are peeled off, in the event that they do not contain life and are easily peeled off, they are pure.

Ruling 89. An egg that comes out of the stomach of a dead hen is pure even if the skin around it has not hardened; however, its exterior must be washed with water.

Ruling 90. If a lamb or a kid dies before it starts to graze, the rennet in its stomach is pure. However, in the event that the rennet is not liquid, the exterior of it that has come into contact with the body of the dead animal must be washed.

Ruling 91. If a person is not certain whether medicine, perfume, oil, wax, or soap that has been imported from a non-Islamic country is impure, it is pure.

Ruling 92. If there is a probability that some meat, fat, or hide has come from an animal that has been killed according to Islamic law, it is pure. However, if it is obtained from a disbeliever or from a Muslim who obtained it from a disbeliever without investigating whether or not it was from an animal that was killed according to Islamic law, then the meat or fat is unlawful to eat but performing

prayers with the hide is permitted (*jā'iz*). And if it is obtained from a Muslim market or from a Muslim but it is not known whether or not he obtained it from a disbeliever, or there is a probability that he has investigated even though he obtained it from a disbeliever, then in all of these cases, eating the meat or fat is permitted on condition that the Muslim had some discretion over it that is particular to lawful meat, such as selling it for eating.

5. Blood

Ruling 93. The blood of a human being and every animal whose blood gushes out (i.e. an animal whose blood runs out with a gush when its jugular vein is cut) is impure. Therefore, the blood of an animal whose blood does not gush out, such as fish or mosquitoes, is pure.

Ruling 94. If an animal whose meat is lawful to eat is killed in accordance with the instructions of Islamic law, and a sufficient amount of the animal's blood runs out, the blood that remains in its body is pure. However, the blood that goes back into the body of the animal as a result of the animal breathing, or because its head was at a high level, is impure.

Ruling 95. The recommended precaution is that the yolk of an egg that has a particle of blood in it should be avoided [i.e. it is better not to consume it].

Ruling 96. The blood that is sometimes seen when milking an animal is impure and it makes the milk impure.

Ruling 97. If blood that comes from in-between the teeth disappears by becoming mixed with saliva, it is not necessary to avoid swallowing the saliva [i.e. it is not ruled as being impure].

Ruling 98. If dead blood forms under the nail or skin as a result of a blow and it becomes such that it can no longer be called 'blood', it is pure; but, if it can be called 'blood' and it becomes evident, it is impure. Furthermore, in the event that the nail or skin is pierced such that the blood is considered to be an outer part of the body, and if bringing out the blood and purifying the area for the purposes of

wuḍū' or *ghusl* would cause one excessive difficulty (*mashaqqah*), then one must perform *tayammum* (dry ablution).

Ruling 99. If a person does not know whether some blood under the skin is dead blood or if the flesh has become like that as a result of a blow to it, it is pure.

Ruling 100. If at the time of boiling some food, a particle of blood falls into the food, then based on obligatory precaution, all the food and the pot become impure, and boiling, heat, and fire do not purify it.

Ruling 101. If it is not known whether or not pus that is found around a wound while it is healing is mixed with blood, it is pure.

6. & 7. Dog and pig

Ruling 102. Dogs and pigs are impure, even their hair, bones, paws, nails, and the moisture from their body.

8. Disbeliever (*kāfir*)

Ruling 103. A person who does not believe in Allah or in His oneness is impure. Similarly, the following are impure: extremists (*ghulāt*) (i.e. those who regard one of the Imams (‘A) as Allah, or say that Allah has immanence (*ḥulūl*) in the Imam(‘A)),¹² Kharijites (*khawārij*), and *nawāṣib* (i.e. those who show enmity towards the Imams (‘A)). The same applies to a person who rejects prophethood or any one of the indispensable aspects of the religion – such as prayers (*ṣalāh*) and fasting (*ṣawm*) – if it is in a way that it amounts to refuting Prophet Muḥammad (Ṣ), albeit in a general manner. As for People of the Book (*ahl al-kitāb*) (i.e. Jews, Christians, and Zoroastrians), they are ruled as being pure.

Ruling 104. The entire body of a disbeliever is impure; this includes his hair, nails, and the moisture from his body.

Ruling 105. If the father, mother, paternal grandfather, and paternal

¹² This refers to those who believe in the infusion or indwelling of Allah in the Imam (‘A).

grandmother of a child who is not of the age of legal responsibility (*bāligh*) are disbelievers, that child is also impure unless he is *mumayyiz* and professes Islam, in which case he is pure. And if he turns away from his father and mother and inclines towards Muslims, or, if he is in the process of researching and investigating, then ruling him as being impure is problematic [i.e. considering him to be impure is based on obligatory precaution, and the necessity of precaution must be observed].¹³ And if either his father, mother, paternal grandfather, or paternal grandmother is a Muslim, then as per the details that will be mentioned in Ruling 210, the child is pure.

Ruling 106. If it is not known whether someone is a Muslim or not and there is no indication of him being a Muslim, he is pure. However, other rules of being a Muslim do not apply to him; for example, he cannot marry a Muslim woman and he cannot be buried in a Muslim cemetery.

Ruling 107. A person who abuses any of the Twelve Imams (‘A) on account of his enmity towards them is impure.

9. Wine

Ruling 108. Wine is impure. Apart from wine, other things that intoxicate a human being are not impure.

Ruling 109. Alcohol, whether it is industrial or medicinal, in all its types is pure.

Ruling 110. If grape juice ferments by itself or by cooking, it is pure; however, it is unlawful to drink. Furthermore, based on obligatory precaution, boiled grapes are unlawful to consume but they are not impure.

Ruling 111. Dates, currants, raisins, and their juice, even if they ferment, are pure and it is lawful to consume them.

Ruling 112. Beer (*fuqqā*), which is mainly made from barley and

¹³ See *Tawdīh al-Masā’il-i Jāmi‘*, vol. 1, p. 69, Ruling 122.

causes a low level of intoxication, is unlawful; and based on obligatory precaution, it is impure. However, barley water that does not cause any intoxication whatsoever is pure and lawful.

10. Sweat of an excrement-eating animal

Ruling 113. The sweat of a camel that habitually eats human impurity is impure, as is the sweat of other animals that do the same, based on obligatory precaution.

Ruling 114. The sweat of a person who becomes *junub*¹⁴ by unlawful means is pure, and prayers performed with that sweat are valid.

WAYS OF ESTABLISHING IMPURITY (NAJĀSAH)

Ruling 115. There are three ways to establish the impurity of an object:

1. one is certain, or is confident by rational means, that the object is impure; and if one only supposes (i.e. has *ẓann*) that an object is impure, it is not necessary for him to avoid it [i.e. it is not ruled as being impure]. Therefore, there is no problem in eating in cafés and in guest houses where the people who eat there are unconcerned about religious matters, and who do not observe laws relating to what is pure and what is impure, as long as one is not confident that the food brought to him is impure;
2. someone who is in possession of an object says it is impure, and he is not someone who is careless about religious matters such as purity and impurity; for example, one's spouse, servant, or maid says that a container or something else that they have in their possession is impure;
3. two just men say that an object is impure, on condition that they give the reason for its impurity; for example, they say that that the object has come into contact with blood or urine. And if one just man, or some other person who is reliable, says something is impure but one does not gain confidence in what he says, the obligatory precaution is that one must avoid that

¹⁴ *Junub* is the term used to refer to a person who is in the state of ritual impurity (*janābah*). *Janābah* is explained in Ruling 344.

thing [i.e. it is ruled as being impure].

Ruling 116. If on account of not knowing the Islamic ruling one does not know whether an object is impure or pure – for example, he does not know whether the droppings of a mouse are pure or not – he must enquire about the ruling. However, if despite knowing the ruling one doubts whether an object is pure or not – for example, he doubts whether something is blood, or he does not know whether it is the blood of a mosquito or the blood of a human being – in these cases, the object is pure and it is not necessary for him to investigate or to ask about it.

Ruling 117. An impure object about which one doubts whether it has become pure or not is impure; and a pure object about which one doubts whether it has become impure or not is pure; and even if one is able to know whether the object is really impure or pure, it is not necessary for him to investigate.

Ruling 118. If someone knows that one of two containers or one of two items of clothing that he uses has become impure but he does not know which one, he must avoid both of them [i.e. they are not ruled as being pure]. However, if, for example, one does not know whether it is his own clothing that has become impure or clothing that he does not have any right of disposal over and which is the property of someone else, it is not necessary for him to avoid it [i.e. it is not ruled as being impure].

HOW A PURE (ṬĀHIR) OBJECT BECOMES IMPURE (NAJIS)

Ruling 119. If a pure object touches an impure object and both or one of them is wet – such that the wetness of one transfers onto the other – the pure object becomes impure; however, it does not become impure through multiple intermediaries [i.e. the transfer of impurity is limited to two intermediaries].

An example: if the right hand has become impure (*mutanajjis*) with urine and that hand touches the left hand while wet, this

touching causes the left hand to become impure; and if after drying, the left hand touches some wet clothing, for example, the clothing also becomes impure; but, if the clothing touches some other wet object, that other object is not ruled as being impure. However, if the wetness is so little that it does not transfer onto another object, the object that was pure does not become impure even if it touches an intrinsic impurity.

Ruling 120. If a pure object touches an impure object and one doubts whether or not both or one of them was wet, the pure object does not become impure.

Ruling 121. If there are two objects and a person does not know which one is pure and which one is impure, and afterwards a pure object that is wet touches one of them, it is not necessary to avoid it [i.e. it is not ruled as being impure], except in some cases, like when both objects were previously impure or when a pure object that is wet touches both objects.

Ruling 122. If the ground, some cloth, or a similar thing is wet, only that part of it that an impurity touches becomes impure and its other parts remain pure. The same applies to a cucumber, melon, etc.

Ruling 123. Whenever syrup, oil, or a similar thing is of a consistency such that when some quantity of it is removed, it does not leave an empty space [due to the space refilling], then even if one part of it becomes impure, the entire quantity becomes impure. However, if it is such that when a part of it is removed it leaves an empty space – even if afterwards it becomes filled – then only the part that the impurity touches is impure. Therefore, if [in the latter scenario] mouse droppings fall into it, only the part that the droppings touch is impure and the rest is pure.

Ruling 124. If a fly or similar insect sits on an impure object that is wet and afterwards it sits on a pure object that is also wet, in the event that one knows that impurity was carried along with the insect, the pure object becomes impure; and if one does not know, the pure object remains pure.

Ruling 125. If a part of the body perspires, and that part becomes impure, and the sweat goes from that part to another part, then whichever part the sweat touches becomes impure; and if the sweat does not go to any other part, the rest of the body is pure.

Ruling 126. If thick phlegm from the nose or throat contains blood, the part that contains blood is impure and the rest of it is pure. Therefore, if the phlegm touches the outer mouth or nose, the area that one is certain the impure phlegm touched is impure, and the area about which one is doubtful whether the impure phlegm touched or not is pure.

Ruling 127. If a pitcher that has a hole in the bottom of it is placed on impure earth, in the event that water from the pitcher stops flowing, collects under it, and is considered to be one with the pitcher's water, then the pitcher's water becomes impure. However, if the pitcher's water flows with pressure, it does not become impure.

Ruling 128. If an object enters the body and comes into contact with some impurity, in the event that after coming out it is not tainted with the impurity, it is pure. Therefore, if an apparatus for inserting enema or the water from it enters the anus, or, if a needle, knife, or similar thing is inserted into the body and after coming out it is not tainted with any impurity, it is not impure. The same applies to saliva or mucus of the nose if it comes into contact with blood while inside the body and is not tainted with blood after coming out.

LAWS OF IMPURITIES (NAJĀSĀT)

Ruling 129. It is unlawful to make the script of the Qur'an and its pages impure in the event that this amounts to disrespect, and if they become impure, one must wash them immediately. In fact, based on obligatory precaution, it is unlawful to make them impure even if it does not amount to disrespect, and washing them is obligatory.

Ruling 130. If the cover of the Qur'an becomes impure, in the event that this is disrespectful to the Qur'an, one must wash it.

Ruling 131. Placing the Qur'an on an intrinsic impurity such as blood or a corpse – even if the intrinsic impurity is dry – is unlawful in the event that it is disrespectful to the Qur'an.

Ruling 132. Writing the Qur'an with impure ink, even one letter of it, has the ruling of making it impure; and if it is written in this way, one must wash it or remove it by scraping it off etc.

Ruling 133. It is unlawful to give the Qur'an to a disbeliever if it amounts to disrespecting it, and taking the Qur'an from him is obligatory.

Ruling 134. If a page of the Qur'an or an object that is necessary to respect – such as paper on which the name of Allah, Prophet Muḥammad (S), or an Imam (A) is written – falls into a lavatory, it is obligatory to take it out and to wash it, even if it costs money to do so. If it is not possible to take it out, the lavatory must not be used until one is certain that the page has decomposed. Furthermore, if a *turbah*¹⁵ falls into a lavatory and it is not possible to take it out, the lavatory must not be used until one is certain that the *turbah* has been completely dissolved.

Ruling 135. It is unlawful to eat or drink something that has become impure, and the same applies to feeding that thing to someone. However, it is permitted to feed that thing to a child or to an insane person. Furthermore, if a child or an insane person eats impure food himself or makes food impure with his impure hand and eats it, it is not necessary to prevent him from doing so.

Ruling 136. There is no problem in selling or lending an impure object that can be made pure. However, it is necessary to tell the other party about the object being impure on two conditions:

1. the other party is in risk of opposing a legal responsibility; for example, he uses it in his food or drink. However, if this is not the case, it is not necessary to inform him; for example, it is not necessary to inform him about impure clothing with

¹⁵ A *turbah* is a piece of earth or clay on which one places his forehead when prostrating.

which he performs prayers because wearing pure clothing is not a condition of occurrence (*al-sharṭ al-wāqīʿī*)¹⁶ for the prayer to be valid;

2. one deems it probable that the other party will give heed to what he says. Therefore, if one knows that what he says will have no effect, it is not necessary to tell him.

Ruling 137. If a person sees someone eating or drinking something impure, or performing prayers with impure clothing, it is not necessary to tell him.

Ruling 138. If a place in someone's house, or if someone's carpet, is impure and one sees that the wet body, dress, or other object of people who are entering his house touches the impure object, in the event that it was he who was responsible for this state of affairs, he must tell them provided that the two conditions mentioned in Ruling 136 are fulfilled.

Ruling 139. If the owner of a house finds out during a meal that the food is impure, he must tell the guests about it, provided that the second condition mentioned previously [in Ruling 136] is fulfilled. However, if one of the guests finds out, it is not necessary for him to tell the others about it. Furthermore, in the event that his dealings with the other guests are such that if they became impure he would also become impure, and this would result in him doing something that was contrary to an obligatory religious ruling, then he must tell them.

Ruling 140. If a borrowed object becomes impure, the person who borrowed the object must inform the owner about this, provided that the two conditions mentioned in Ruling 136 are fulfilled.

¹⁶ A condition of occurrence is one that must be fulfilled for an action to be valid irrespective of the performer's state of knowledge with regard to that condition. For example, performing *rukūʿ* in prayers is a condition of occurrence for the prayer to be valid because even if a person omits it unknowingly and realises this afterwards, his prayer is void and he must repeat it. However, wearing pure clothing in prayers is not a condition of occurrence because if one performs prayers with impure clothing and realises this afterwards, his prayer is deemed to be valid.

Ruling 141. If a child says that an object is impure or that he has washed something with water, his word must not be accepted. However, if a child who is *mumayyiz* and understands well what purity and impurity are says that he has washed something with water, in the event that the object is at his disposal or one attains confidence in what he says, his word must be accepted. The same applies if he says an object is impure.

THINGS THAT PURIFY AN IMPURE OBJECT (*MUṬAHHIRĀT*)

Ruling 142. There are twelve things that make an impure object pure; these are known as '*muṭahhirāt*': (1) water; (2) earth; (3) the sun; (4) transformation (*istiḥālah*); (5) change (*inqilāb*); (6) transfer (*intiḳāl*); (7) Islam; (8) subsequence (*taba'īyyah*); (9) removal of the intrinsic impurity; (10) quarantine (*istibrā'*) of an excrement-eating animal; (11) absence of a Muslim; and (12) draining of blood from a slaughtered animal. The rules of these will be mentioned in detail in the forthcoming rulings (*masā'il*).

1. Water

Ruling 143. Water makes an impure object pure provided that four conditions are met:

1. the water must be unmixed; therefore, mixed water such as rose water and willow essence do not make an impure object pure;
2. the water must be pure;
3. the water must not turn into mixed water when an impure object is washed in it; and in cases where only one wash is required,¹⁷ the water must not attain the smell, colour, or taste of the impurity. However, in other cases, there is no problem if the water changes; for example, if a person washes an object with *kurr* or *qalil* water and it is necessary to wash that object twice,¹⁸ then even if the water changes in the first wash and

¹⁷ See, for example, Ruling 156.

¹⁸ See, for example, Ruling 153.

- in the second wash he purifies the object with water that does not change, the object becomes pure;
4. after washing an impure object, small particles of the intrinsic impurity must not remain on the object. Purifying an impure object with *qalil* water – i.e. water that is less than *kurr* – has other conditions, which will be mentioned later.

Ruling 144. The inside of an impure container must be washed three times with *qalil* water. Similarly, [if it is washed] with *kurr*, flowing, or rainwater, based on obligatory precaution [it must be washed three times]. A container out of which a dog drinks water or some other liquid must first be scrubbed with pure soil; then, that soil must be discarded and the container washed twice with *qalil*, *kurr*, or rainwater. Similarly, a container that a dog has licked must be scrubbed with soil before it is washed; and if a dog's saliva falls into a container or part of its body touches the container, then based on obligatory precaution, the container must be scrubbed with soil and then washed three times with water.

Ruling 145. If the mouth of a container that a dog has licked is narrow, soil must be poured into it and the container must be shaken vigorously so that the soil reaches all parts of it; thereafter, it must be washed in the manner mentioned above.

Ruling 146. A container that a pig licks or drinks some liquid out of, or in which a field-mouse has died, must be washed seven times with *qalil*, *kurr*, or flowing water, and it is not necessary to scrub it with soil.

Ruling 147. A container that has become impure with wine must be washed three times even with *kurr* water, flowing water, or suchlike; and the recommended precaution is that it should be washed seven times.

Ruling 148. If a pitcher that is made from impure clay, or a pitcher which impure water has permeated, is placed in *kurr* or flowing water, then wherever the water reaches becomes pure. If a person wants its inside to become pure as well, it must stay in *kurr* or flowing water for such a length of time that the water permeates all of it. Furthermore, if a container has some liquid that prevents water from reaching its

inside, it must be dried and thereafter placed in *kurr* or flowing water.

Ruling 149. An impure container can be washed with *qalīl* water in two ways:

1. by filling it three times with water and emptying it out each time;
2. by pouring some water in it three times, and each time swirling the water around in a manner that it reaches all the impure parts and then emptying it out.

Ruling 150. If a large container like a cauldron or barrel becomes impure, in the event that it is filled and emptied three times, it becomes pure. The same applies if water is poured into it from above three times in a manner that it reaches all its sides and each time the water that collects at the bottom is emptied out; and the recommended precaution is that on the second and third time, the container that is used to empty out the water should be washed with water.

Ruling 151. If impure copper and the like is melted and washed with water, its exterior becomes pure.

Ruling 152. With regard to a *tanūr*¹⁹ that has become impure with urine, if water is poured once into it from above in a manner that it reaches all its sides, it becomes pure; and the recommended precaution is that this should be done twice. However, in case it has become impure by something other than urine, then after removing the impurity, it is sufficient to pour water once into it as described; and it is better to make an indentation at the bottom of it so that water collects there; then, the water should be emptied out and the indentation should be filled in with pure soil.

Ruling 153. If an impure object is immersed once in *kurr* or flowing water such that water reaches all its impure areas, it becomes pure. In the case of a rug, clothing, or a similar thing, it is not necessary to squeeze or wring it or to stamp on it. In case a person's body or clothing becomes impure with urine, then based on obligatory

¹⁹ A fire-heated oven for baking bread.

precaution, it is necessary to wash it twice with *kurr* water or the like; however, if flowing water is used, it becomes pure by washing it once.

Ruling 154. If a person wants to wash with *qalil* water an object that has become impure with urine, in the event that water is poured over it once and separates from it, and urine does not remain on the object, it becomes pure. However, with clothing and a person's body, water must be poured over it twice in order for it to become pure. As for washing clothing, rugs, and similar things with *qalil* water, in all cases, one must wring them until the remaining water comes out (and the meaning of 'the remaining water' is water that usually drips out by itself or by wringing at the time of washing and after washing).

Ruling 155. If an object becomes impure with the urine of a suckling boy or a girl who has not started weaning, in the event that some water, however little, is poured over it once so that it reaches the whole of the impure area, it becomes pure. However, the recommended precaution is that water should be poured over it a second time. In the case of clothing, rugs, and similar things, wringing is not necessary.

Ruling 156. If an object becomes impure by something other than urine, in the event that the impurity is removed and *qalil* water is poured over it once and separates from it, it becomes pure. However, clothing and similar things must be wrung so that the remaining water comes out.

Ruling 157. If a *ḥaṣīr*²⁰ that has been woven with thread becomes impure and is immersed in *kurr* or flowing water, then after the intrinsic impurity has been removed, it becomes pure. However, if a person wants to wash it with *qalil* water, it must be squeezed in whatever way possible, even by stamping on it, so that the remaining water separates from it.

Ruling 158. If the exterior of wheat, rice, and suchlike becomes impure and it is immersed in *kurr* or flowing water, it becomes pure; and it is also possible to purify it with *qalil* water. And if their interior

²⁰ A mat that is made by plaiting or weaving straw, reed, or similar materials of plant origin.

becomes impure, in the event that *kurr* or flowing water reaches the interior, it becomes pure.

Ruling 159. If the exterior of soap becomes impure, it is possible to purify it; however, if its interior becomes impure, it is not possible to purify it. If a person doubts whether impure water has reached the soap's interior or not, its interior is pure.

Ruling 160. If the exterior of rice, meat, and suchlike becomes impure, in the event that it is placed in a pure bowl or something similar, and water is poured over it once and emptied, it becomes pure; and if it is placed in an impure container, this procedure must be carried out three times for the container to become pure. If a person wants to place a cloth or something similar that needs to be squeezed in a container and to wash it with water, he must squeeze the object each time water is poured over it and tilt the container so that the remaining water that has gathered pours out.

Ruling 161. If impure clothing that has been dyed with indigo or something similar is immersed in *kurr* or flowing water, it becomes pure if the water reaches all parts of it before the water becomes mixed with the colour of the clothing; and if it is washed with *qalil* water, in the event that at the time of wringing the mixed water does not come out, it becomes pure.

Ruling 162. If clothing is washed with *kurr* or flowing water and afterwards some sludge, for example, is found on it, in the event that one does not deem it probable for it to have prevented the water from reaching the clothing, the clothing is pure.

Ruling 163. If after washing clothing or something similar some mud or soap is seen on it, in the event that one does not deem it probable for it to have prevented the water from reaching the clothing, the clothing is pure. However, if impure water reaches the inside of the mud or soap, the outside of the mud or soap is pure and the inside is impure.

Ruling 164. An impure object does not become pure until the intrinsic impurity is removed from it; there is no problem, however, if the smell

or colour of the impurity remains on it. Therefore, if blood is removed from clothing and the clothing is washed with water and the colour of blood remains on it, it is pure.

Ruling 165. If impurity on the body is removed by immersion in *kurr* or flowing water, the body becomes pure except if it has become impure with urine, in which case based on obligatory precaution, it does not become pure by washing it once with *kurr* water. However, it is not necessary for one to come out of the water and then to go back in; rather, it will suffice if the person wipes the impure part under water with his hand such that the water separates from that part and then goes over it once again.

Ruling 166. With regard to impure bits of food that have remained in-between the teeth, if water is gargled and it reaches all the bits of impure food, they become pure.

Ruling 167. If the hair on one's head and face [becomes impure and] is washed with *qalil* water, in case there is not a lot of hair, it is not necessary to apply pressure in order to take out the remaining water because a regular amount of water will come out on its own accord.

Ruling 168. If an area of the body or clothing is washed with *qalil* water, both the impure area and the area around it where water usually reaches during washing become pure. Therefore, it is not necessary to wash those adjoining areas separately. The same applies if a pure object is placed by the side of an impure object and water is poured over both of them. For example, in order to wash one impure finger with water, if water is poured on all the fingers and impure water as well as pure water reaches all of them, then by the impure finger becoming pure, all the fingers become pure.

Ruling 169. Meat or fat that has become impure is washed with water just like any other object. The same applies if the body, clothing, or a container has a little fat on it that does not prevent water from reaching it.

Ruling 170. If a container or a body is impure and afterwards it becomes greasy such that water is prevented from reaching it, in the

event that one wishes to wash the container or the body with water, he must first remove the grease so that water can reach it.

Ruling 171. Tap water that is connected to *kurr* is ruled as being *kurr*.

Ruling 172. If a person washes an object with water and he becomes certain that it has become pure, but afterwards he doubts whether he removed the intrinsic impurity from it or not, he must wash it again with water until he is certain that the intrinsic impurity has been removed.

Ruling 173. If ground that absorbs water – such as ground on which there is sand or pebbles – becomes impure, it can be purified with *qalil* water.

Ruling 174. If ground that is paved with stone or brick, or hard ground that does not absorb water, becomes impure, it can be purified with *qalil* water; however, one must pour water over it to the extent that it flows. And if the water that is poured over it does not disappear down holes in the ground but instead gathers somewhere, in order to purify that place, the gathered water must be removed with a cloth or a container.

Ruling 175. If the exterior of rock salt and suchlike becomes impure, it can be purified with *qalil* water.

Ruling 176. If impure melted sugar is turned into sugar cubes and placed in *kurr* or flowing water, it does not become pure.

2. Earth

Ruling 177. Earth purifies the sole of one's foot or shoe on four conditions:

1. the earth is pure;
2. the earth is dry;
3. based on obligatory precaution, the impurity has come onto the sole of one's foot or shoe from the earth;
4. an intrinsic impurity – such as blood and urine – or an object

that has become impure – such as mud that has become impure and is on the sole of one's foot or shoe – is removed by walking or by rubbing the foot on earth. And in the event that the intrinsic impurity had previously been removed, then based on obligatory precaution, the sole of one's foot or shoe does not become pure by walking or by rubbing the foot on earth. Furthermore, the earth must be of soil, stone, brick, or something similar; therefore, walking on a rug, *ḥaṣīr*, and on grass does not purify the impure sole of one's foot or shoe.

Ruling 178. To consider the impure sole of one's foot or shoe as having become pure after walking on asphalt and ground paved with wood is problematic [i.e. based on obligatory precaution, it is not considered as having become pure].

Ruling 179. In order to purify the sole of one's foot or shoe, it is better to walk a distance of fifteen cubits (*dhirā's*)²¹ or more, even if the impurity is removed by walking less than fifteen cubits or by rubbing the sole of one's foot or shoe on earth.

Ruling 180. It is not necessary for the impure sole of one's foot or shoe to be wet; rather, even if it is dry it becomes pure by walking.

Ruling 181. After the impure sole of one's foot or shoe has become pure by walking, the area on the sides of the sole that usually becomes dirty with mud also becomes pure.

Ruling 182. If the palms or knees of someone who moves around on his hands and knees become impure, then to consider them as having become pure as a result of him moving around on them is problematic [i.e. based on obligatory precaution, they are not considered as having become pure]. The same applies to the bottom of a walking stick, the bottom of an artificial leg, the shoe of a quadruped animal, the wheel of a car or cart, and similar things.

Ruling 183. There is no problem if after walking, the smell, colour, or

²¹ The length from the elbow to the tip of the middle finger of the hand is known as one *dhirā'*, and it has been said that one *dhirā'* of people of average height is equivalent to approximately 46 centimetres. [Author]

small particles of impurity that cannot be seen remain on the sole of one's foot or shoe. However, the recommended precaution is that one should walk to the extent that this is also removed.

Ruling 184. The inside of a shoe does not become pure by walking. To consider the sole of socks as having become pure as a result of walking is problematic [i.e. based on obligatory precaution, it is not considered as having become pure], unless the sole is made of leather and suchlike and walking on them is considered normal.

3. The sun

Ruling 185. The sun purifies earth, buildings, and walls on five conditions:

1. the impure object is sufficiently wet, such that if another thing would come into contact with it, the latter would become wet. Therefore, if the object is dry, it must be wetted by some means so that the sun can then dry it;
2. no intrinsic impurity remains on the impure object;
3. nothing prevents the sun from shining on the impure object. Therefore, if the sun shines on the impure object from behind a curtain or cloud etc. and makes it dry, the object does not become pure. However, there is no problem if the cloud is so thin that it does not prevent the sun from shining on the object;
4. the sun must dry the impure object by itself. Therefore, if, for example, an impure object is dried by both the wind *and* the sun, it does not become pure. However, there is no problem if the drying of the object can be commonly attributed to the sun shining on it;
5. the sun must dry the building that is impure in one go. Therefore, if one time the sun shines on impure earth or a building and it dries the surface of it, and another time it dries the underside of it, then only the surface of it becomes pure and the underside remains impure.

Ruling 186. The sun can purify an impure *ḥaṣīr* mat; but if it is woven with thread, the sun does not purify the threads. To say that trees, grass, doors, and windows become pure by means of the sun is

problematic [i.e. based on obligatory precaution, they do not become pure in this way].

Ruling 187. If the sun shines on impure earth and afterwards a person doubts whether or not the earth was wet when the sun shone on it, or whether or not the wetness of the earth has dried by means of the sun, that earth is impure. The same applies if one doubts whether or not the intrinsic impurity has been removed. And if a person doubts whether or not something prevented the sun from shining on the impure object, then to consider it as having become pure is problematic [i.e. based on obligatory precaution, it is not considered as having become pure].

Ruling 188. If the sun shines on one side of an impure wall and as a result the other side of the wall – on which the sun did not shine – also becomes dry, it is not farfetched (*baʿīd*)²² to consider both sides as having become pure [i.e. both sides are deemed to be pure]. However, if one day the sun dries the exterior of a wall or some earth and another day its interior, only its exterior becomes pure.

4. Transformation (*istiḥālah*)

Ruling 189. If the essence of an impure object changes in such a way that it transforms into a pure object, it becomes pure; for example, if impure wood burns and transforms into ash, or a dog falls into a salt marsh and transforms into salt [the ash and the salt are pure]. However, if the essence of the object does not change – for example, if impure wheat is turned into flour or made into bread – it does not become pure.

Ruling 190. A clay pitcher or something similar that is made from impure clay is impure. As for charcoal that is made from impure wood, in the event that none of the former actual properties are in it, it is pure. And if impure clay is changed by fire into crockery or bricks, then based on obligatory precaution, it remains impure.

Ruling 191. An impure object about which it is not known whether

²² For practical purposes, a legal opinion that is termed 'not farfetched' equates to a *fatwa*.

it has undergone a transformation or not is impure.

5. Change (*inqilāb*)

Ruling 192. If wine turns into vinegar by itself or by pouring something like vinegar or salt into it, it becomes pure.

Ruling 193. Wine that is made from impure grapes and suchlike, or wine that has come into contact with some other impurity, does not become pure by turning into vinegar.

Ruling 194. Vinegar that is made from impure grapes, raisins, or dates is impure.

Ruling 195. There is no problem if the stalks of grapes or dates remain on them and vinegar is poured over them. Similarly, there is no problem in adding cucumber, eggplant, or suchlike even before it turns into vinegar, unless it becomes an intoxicant before turning into vinegar.

Ruling 196. Grape juice becomes unlawful to drink if it ferments either by heating or by itself. If it ferments so much that two-thirds of it reduces and only one-third of it remains, it becomes lawful to drink. Furthermore, if it is established that the grape juice is intoxicating, then as some [jurists (*fuqahā*)] have said with regard to when it ferments by itself, it can only become lawful to drink if it turns into vinegar. As it was mentioned in Ruling 110, grape juice does not become impure by fermenting.

Ruling 197. If two-thirds of grape juice reduces without fermenting, in the event that the remainder ferments and is commonly called 'grape juice' and not 'extract', then based on obligatory precaution, it is unlawful to drink.

Ruling 198. Grape juice about which it is not known whether it has fermented or not is lawful to drink. However, if it ferments, it does not become lawful to drink until one is certain that two-thirds of it has reduced.

Ruling 199. If, for example, there are some ripe grapes in a bunch of unripe grapes and the juice that is extracted from the bunch is not regarded as being grape juice and it ferments, then drinking it is lawful.

Ruling 200. If a grape falls into something that is boiling by means of heat and it ferments and does not dissolve, then based on obligatory precaution, eating that grape is unlawful.

Ruling 201. If a person wants to cook grape extract in several pots, it is permitted to use the spatula that was previously used in a pot that has boiled, in a pot that has not boiled.

Ruling 202. If it is not known whether something is an unripe grape or a ripe grape and it ferments, then eating it is lawful.

6. Transfer (*intiqāl*)

Ruling 203. If the blood of a human being, or of an animal whose blood gushes out when its jugular vein is cut, is sucked by an animal that is commonly known to have no blood, such that it may be absorbed in that animal's body – like when a mosquito sucks blood from a human being or from an animal – then that blood is pure. This is called 'transfer'. As for the blood that a leech sucks from a human being for the purposes of treatment, as it is not known whether or not that blood becomes part of its body, it is impure.

Ruling 204. If a person kills a mosquito that had sat on his body, and the blood sucked by the mosquito comes out of it, that blood is pure – even if the time that elapsed between the sucking of the blood and killing the mosquito was very little – because the blood was in the process of becoming food for the mosquito. However, the recommended precaution is that in this situation, one should avoid the blood [i.e. it is better not to rule it as being pure].

7. Islam

Ruling 205. If a disbeliever declares in any language the *shahādatayn* (two testimonies) – i.e. he testifies to the oneness of Allah and to the

prophethood of the Seal of the Prophets [Prophet Muḥammad (S)] – he becomes a Muslim; and in the event that he was previously ruled as being impure, then after becoming a Muslim his body, saliva, nasal mucus, and sweat are pure. However, if at the time of becoming a Muslim an intrinsic impurity was on his body, it must be removed and that part of his body must be washed; and if the intrinsic impurity was removed before he became a Muslim, then based on obligatory precaution, that part of his body must be washed.

Ruling 206. If when someone was a disbeliever any clothes of his that were wet made contact with his body – irrespective of whether those clothes were on his body at the time he became a Muslim or not – then based on obligatory precaution, one must avoid them [i.e. they are ruled as being impure].

Ruling 207. If a disbeliever says the *shahādatayn* but one does not know whether he has sincerely become a Muslim or not, he is pure. The same applies if one knows that he has not sincerely become a Muslim but he does not do anything that contradicts his saying of the *shahādatayn*.

8. Subsequence (*tabaʿiyyah*)

Ruling 208. Subsequence means that an impure object becomes pure by means of the purity of another object.

Ruling 209. If wine turns into vinegar, its container also becomes pure up to the level where the wine reached at the time of fermentation; and any piece of cloth or object that is usually placed on top of it also becomes pure if it had become impure by the wine. However, if the outside of the container had become impure by the wine, the obligatory precaution is that after the wine has turned into vinegar, the outside of the container must be avoided [i.e. it is ruled as being impure].

Ruling 210. The child of a disbeliever becomes pure by subsequence in two cases:

1. if a disbeliever becomes a Muslim, his child follows him

in becoming pure. The same applies if the child's paternal grandfather, mother, or paternal grandmother becomes a Muslim. However, ruling the child as being pure in this case is conditional upon the child being with the person who has newly become a Muslim, and upon the child being under his guardianship; furthermore, a disbeliever who is a closer relative than the person who has newly become a Muslim must not be with the child;

2. if a disbeliever is captured by a Muslim, the disbeliever's child becomes pure if his father or one of his grandparents is not with the child.

In both cases, in the event that the child is *mumayyiz*, his becoming pure by subsequence is conditional upon the child not expressing disbelief (*kufr*).

Ruling 211. The plank or stone on which a corpse is given *ghusl*, and the cloth with which the private parts of a corpse are covered, and the hands of the person who gives *ghusl* – all of these things that are washed with the corpse become pure once the *ghusl* is complete.

Ruling 212. With regard to someone who washes an object to make it pure, after that object has become pure, his hands – which were washed along with the object – also become pure.

Ruling 213. If clothing or something similar is washed with *qalil* water and is wrung to a normal extent so that the water with which it was washed separates from it, the water that remains in it is pure.

Ruling 214. With regard to an impure container that is washed with *qalil* water, after the water with which it was washed separates from it, the small amount of water that remains in it is pure.

9. Removal of intrinsic impurity (*‘ayn al-najāsah*)

Ruling 215. If the body of an animal becomes impure with an intrinsic impurity like blood, or with something that has become impure, such as impure water, in the event that the impurity is removed, the body of the animal becomes pure. Similarly, the inner parts of a human

body – like the inside of the mouth, nose, and ears – become impure by coming into contact with an external impurity, but by removing the impurity they become pure. As for internal impurity – such as blood that comes out from in-between the teeth – this does not cause the inner parts of the body to become impure. Similarly, if an external object inside the body comes into contact with internal impurity, it does not make the object impure. Therefore, if dentures come into contact with blood that comes out from in-between the teeth, it is not necessary to wash the dentures; but if the dentures come into contact with impure food, it is necessary to wash them.

Ruling 216. If some food has remained in-between the teeth and blood comes in the mouth, the food does not become impure by coming into contact with the blood.

Ruling 217. Those parts of the lips and eyelids that overlap when shut are ruled as being inner parts of the body. Therefore, in the event that they come into contact with some external impurity, it is not necessary to wash them with water.²³ However, with regard to those parts that one does not know whether they are outer or inner parts of the body, if they come into contact with external impurity, it is necessary to wash them.

Ruling 218. If impure dust settles on dry clothing, a carpet, or similar thing, in the event that the object is shaken in a way that the amount of dust that is certain to have been impure falls off, the clothing, carpet, or similar thing is pure and it is not necessary to wash it.

10. Quarantine (*istibrā'*)²⁴ of an excrement-eating animal

Ruling 219. The urine and faeces of an animal that habitually eats human excrement is impure. In order for the urine and faeces of such an animal to be considered pure, one must quarantine the animal,

²³ In light of Ruling 215, they become pure by removing the impurity from them and so if this is done, there is no need to wash them with water.

²⁴ The meaning of *istibrā'* here is different to that mentioned in two other places in this work: firstly, in Ruling 69, where it refers to the process of clearing the male urethra of urine after urinating; and secondly, in Ruling 495, where it refers to the method of checking whether or not menstruation has stopped.

meaning that he must prevent it from eating impurity for some time and feed it pure food so that after that period of time, it is no longer considered to be an excrement-eating animal. The recommended precaution is to prevent an excrement-eating camel from eating excrement for forty days, a cow twenty days, a sheep ten days, a duck seven or five days, and a domestic hen three days, even if before these time periods are over the animal in question ceases to be considered an excrement-eating animal.

11. Absence of a Muslim

Ruling 220. If the body, clothing, or something else like a container or carpet that is in the possession of a Muslim who is *bāligh* or *mumayyiz* becomes impure and that Muslim disappears, in the event that one deems it rationally probable that he has washed it, it is pure.

Ruling 221. If a person is certain or confident that an object that was impure has become pure, or two just (*ādil*) people testify to it having become pure and their testimony mentions the reason for it having become pure, then the object is pure; for example, they testify that an item of clothing that had become impure with urine has been washed twice. The same applies if a person who is in possession of an impure object says that it has become pure, and he is not someone who is careless about religious matters such as purity and impurity; or, if a Muslim washes an impure object with the intention of making it pure, even if it is not known whether he has washed it properly or not.

Ruling 222. If a person who has been appointed to wash someone's clothes says that he has washed them and one is confident of the truthfulness of what he says, then those clothes are pure.

Ruling 223. If an obsessively doubtful person (*muwaswis*) who does not attain certainty in the washing of an impure object washes it in the same way that normal people wash it, his actions are sufficient to deem the object pure.

12. Flowing out of blood [of a slaughtered animal] in a normal quantity

Ruling 224. Blood that remains inside the body of an animal that has been slaughtered according to Islamic law is pure if a normal amount of blood has already come out, as stated in Ruling 94.

Ruling 225. Based on obligatory precaution, the previous ruling is applicable only to animals whose meat is lawful to eat; it does not apply to animals whose meat is unlawful to eat.

LAWS OF UTENSILS

Ruling 226. If a utensil has been made from the hide of a dog, pig, or carcass [of an animal that has not been slaughtered in accordance with Islamic law], it is unlawful to drink or eat out of it if the food or drink has become impure [as a result of impurity transferring from the utensil to the food or drink]. Furthermore, that utensil must not be used for *wuḍūʾ*, *ghusl*, or any other purpose for which only pure objects must be used. And the recommended precaution is that the hide of a dog, pig, or carcass [as defined above] – even if it is not in the form of a utensil – should not be used for anything.

Ruling 227. Eating and drinking from gold or silver utensils is unlawful. In fact, based on obligatory precaution, using these utensils in general is unlawful. However, there is no problem in using them for decorating a room and suchlike, or keeping them, although the recommended precautionary measure is not to [decorate with them and/or keep them]. The same applies to making gold and silver utensils, or buying and selling them for decoration or for keeping.

Ruling 228. If the handle of a tea cup that is made of gold or silver can be called a 'utensil', it has the ruling of a gold or silver tea cup; however, if it cannot be called a 'utensil', there is no problem in using it.

Ruling 229. There is no problem in using a gold-plated or silver-plated utensil.

Ruling 230. If metal is mixed with gold or silver and made into a utensil, in the event that the amount of metal is such that it cannot be called a 'gold utensil' or a 'silver utensil', there is no problem in using it.

Ruling 231. If a person places food from a utensil made of gold or silver into another utensil, in the event that the second utensil cannot be commonly considered as simply an intermediary utensil for eating from the first utensil, there is no problem [in eating from the second utensil].

Ruling 232. There is no problem in using the mouthpiece of a shisha pipe, the scabbard of a sword, a knife, or the frame of the Qur'an if they are made of silver or gold. However, the recommended precaution is to not use containers of perfume, kohl, and opium that are made of gold or silver.

Ruling 233. There is no problem if a person eats or drinks from a gold or silver utensil if he is compelled to, provided that he only eats or drinks from it to the extent that his need is alleviated; more than this is not permitted.

Ruling 234. There is no problem in using a utensil about which one does not know whether it is made of gold, silver, or something else.

ABLUTION (*WUḌŪ'*)

Ruling 235. In *wuḍū'*, it is obligatory to wash (*ghasl*) the face and the arms, and to wipe (*mash*) the front part of the head and the upper part of the feet.

Ruling 236. The length of the face that must be washed is the area from the top of the forehead where the hair grows to the bottom of the chin; and the breadth of the face that must be washed is the area that is covered by the tip of the middle finger to the tip of the thumb. If even a small amount of this area is not washed, the *wuḍū'* is invalid; and if one is not certain of having washed this area completely, he must also wash a little extra around this area in order to be certain.

Ruling 237. If someone's face or hand is smaller or larger than normal, he must observe the amount that people with a normal sized face and hand wash, and he must wash the same amount. And if hair grows on one's forehead, or, if one does not have hair on the front part of his head, he must wash the same amount of his forehead that people with normal foreheads wash.

Ruling 238. If a person deems it probable that there is dirt or something else in his eyebrows or in the corners of his eyes or lips which would prevent water from reaching those areas, in the event that his deeming this probable would be considered by people to be reasonable, he must examine this before performing *wuḍū'* and if there really is such an obstacle, he must remove it.

Ruling 239. If the skin of one's face is visible from in-between his facial hair, he must ensure that the water reaches the skin. If it is not visible, then washing his facial hair is sufficient and it is not necessary for him to ensure that water reaches under his facial hair.

Ruling 240. If a person doubts whether or not the skin of his face is visible from in-between his facial hair, then based on obligatory precaution, he must wash his facial hair and also ensure that water reaches the skin.

Ruling 241. It is not obligatory to wash inside the nose or those parts of the lips and eyes that cannot be seen when they are closed. However, if a person is not certain that everything that must be washed has been washed, it is obligatory that he washes a little of those parts as well in order to be certain. Furthermore, with regard to someone who did not know this rule, if having performed *wuḍū'* he does not know whether he washed the required area or not, the prayers he performed with that *wuḍū'* are valid and it is not necessary for him to perform *wuḍū'* again for the next prayer.

Ruling 242. The direction in which one must wash the arms is from top to bottom [i.e. in a direction towards the fingertips]. The same applies, based on obligatory precaution, to washing the face [i.e. it must be washed in a direction towards the chin]. If a person washes from bottom to top, the *wuḍū'* is invalid.

Ruling 243. If a person wets his hand with water and wipes it on his face and arms, in the event that the wetness of his hand is to the extent that by wiping his face and arms the water covers them, it is sufficient, and it is not necessary for the water to flow over them.

Ruling 244. After washing the face, one must wash his right arm from the elbow to the tips of the fingers, and he must then proceed to wash his left arm in the same way.

Ruling 245. If a person is not certain that the elbow has been washed completely, he must also wash a little above it in order to be certain.

Ruling 246. If someone washes his hands up to his wrists before washing his face, then when he performs *wuḍūʾ*, he must still wash his arms up to the tips of his fingers; and if he washes his arms only up to his wrists, his *wuḍūʾ* is invalid.

Ruling 247. In *wuḍūʾ*, washing the face and arms once is obligatory, twice recommended, and three times or more unlawful. The first washing is complete when one pours – with the intention (*qaṣd*) of performing *wuḍūʾ* – an amount of water onto the face or arms that covers them completely, such that there is no need to take any further measures to ensure that the water has reached the required area. Therefore, if, for example, one pours water ten times onto his face until the water covers his face completely, and he does this with the intention of the first wash, there is no problem [i.e. the first wash will be deemed to have taken place correctly]; and until he does not make the intention of performing *wuḍūʾ* and of washing his face, for example, the first wash is not deemed to have taken place. Therefore, he can pour water onto his entire face a number of times and on the last time that he pours water, he can make the intention of a *wuḍūʾ* washing. However, the validity of such an intention for the second washing is problematic, and the obligatory precaution is that one must not pour water onto his face and arms more than one time after the first washing, even if it is not with the intention of performing *wuḍūʾ*.

Ruling 248. After washing both arms, one must wipe the front part of his head with the wetness of the water that has remained on his

hands; and the recommended precaution is that one should wipe with the palm of his right hand and that he should wipe from top to bottom [i.e. in a direction towards his forehead].

Ruling 249. The area that must be wiped is the front quarter of the head, i.e. the quarter immediately above the forehead; and it is sufficient to wipe any part of this area and to any extent, although the recommended precaution is that the length of the wiping should be at least the length of one finger, and the width of the wiping should be at least the width of three fingers joined together.

Ruling 250. It is not necessary that the wiping of the head be on its skin; rather, it is also correct (*ṣaḥīḥ*) to wipe the hair on the front of one's head. However, if the length of someone's hair at the front of his head is so long that if, for example, he were to comb it, it would fall onto his face, or it would reach other parts of his head, then he must wipe the roots of the hair. And if he gathers the hair which falls on his face, or which reaches the other parts of his head, at the front of his head and then wipes it, or, if he wipes the hair that has come to the front part of his head from other parts of his head, then such a wiping is invalid.

Ruling 251. After wiping the head, one must wipe the upper part of the feet with the wetness of the *wuḍū'* water that has remained on his hands. The area that must be wiped is from the tip of one of the toes to the ankle; and based on obligatory precaution, wiping the feet up to the raised part in the middle of the foot [before the ankle] will not suffice. And the recommended precaution is that one should wipe the right foot with the right hand and the left foot with the left hand.

Ruling 252. The wiping of the feet can be of any width; however, it is better that the width be the width of three fingers joined together; and it is even better for the whole of the upper foot to be wiped with the whole of the hand.

Ruling 253. With regard to the wiping of the feet, it is not necessary for one to place his hand on the tips of the toes and to then draw his hand to the back of the foot; rather, one can place his whole hand on his foot and draw it back a little.

Ruling 254. With regard to the wiping of the head and feet, one must draw his hand over them; therefore, if one keeps his hand still and draws his head or foot along it, the wiping is invalid. However, there is no problem if the head or foot moves slightly when one is drawing his hand over them.

Ruling 255. The area to be wiped must be dry; and if it is wet to the extent that the wetness of the hand has no effect on it, the wiping is invalid. However, there is no problem if the area to be wiped is merely damp, or its wetness is so little that it becomes absorbed in the wetness of the hand.

Ruling 256. If for the purposes of wiping no moisture is left on the hand, one cannot wet his hands with additional water; rather, one must take moisture from his beard and perform the wiping with that; and taking moisture from anything other than one's beard and wiping with it is problematic [i.e. based on obligatory precaution, such a wiping does not suffice].

Ruling 257. If the moisture on one's hand is only sufficient for wiping his head, the obligatory precaution is that he must wipe his head with that moisture, and for the wiping of his feet he must take moisture from his beard.

Ruling 258. Wiping performed on socks or shoes is invalid. However, if one is unable to remove his socks or shoes on account of severe cold, or fear of thieves or wild animals etc., then the obligatory precaution is that after he has wiped on his shoes or socks, he must also perform *tayammum*; and if it is a matter of *taqiyyah*,²⁵ it is sufficient if he only wipes over his socks or shoes.

Ruling 259. If the upper part of one's foot is impure and it cannot be washed [and made pure] so that it can be wiped, then *tayammum* must be performed.

²⁵ *Taqiyyah* refers to the discretionary concealment of one's beliefs under duress.

IMMERSIVE ABLUTION (AL-WUḌŪ' AL-IRTIMĀSĪ)

Ruling 260. Immersive *wuḍū'* means that one immerses his face and arms in water with the intention of performing *wuḍū'*, and what is apparent (*ẓāhir*)²⁶ is that there is no problem in wiping the head and feet with the wetness of the hands that were washed by immersion, although this goes against [recommended] precaution.²⁷

Ruling 261. In immersive *wuḍū'*, one must also wash his face and arms from top to bottom. Therefore, if at the time of immersing his face and arms in the water one makes the intention of *wuḍū'*, he must immerse his face forehead-first, and his arms elbow-first.

Ruling 262. There is no problem if one performs immersive *wuḍū'* for some parts [i.e. face/arms] and non-immersive for other parts.

RECOMMENDED SUPPLICATION (DU'Ā') WHILE PERFORMING WUḌŪ'²⁸

Ruling 263. It is recommended for one who is performing *wuḍū'* to say the following when his eyes fall on the water:

بِسْمِ اللَّهِ وَ بِاللَّهِ، وَ الْحَمْدُ لِلَّهِ الَّذِي جَعَلَ الْمَاءَ طَهُورًا وَ لَمْ يَجْعَلْهُ نَجَسًا

bismil lāhi wa billāh, wal ḥamdu lillāhil ladhī ja'alal mā'a ṭahūraw wa lam
yaj'alhu najisā

In the name of Allah and by Allah. All praise is for Allah who made water pure and did not make it impure.

²⁶ For practical purposes in jurisprudential rulings, expressing an apparent ruling equates to giving a fatwa.

²⁷ In another of his works on Islamic law, al-Sayyid al-Sistani hypothetically discusses different ways by which a person could wash his arms by combining the method of performing *wuḍū'* by immersion with the method of performing it in the normal (non-immersive) manner, and thereby be able to perform the wiping of his head and feet with the wetness that is on his hand from having washed the arm in the normal manner. One of these ways is as follows: as washing a second time is recommended, a person could – after washing his left arm by immersion – wash it again in the normal way with his right hand and then wipe his head and feet. (*Ta'liqāt 'alā al-'Urwah al-Wuthqā*, vol. 1, p. 160, Ruling 511).

²⁸ This supplication is based on a tradition in which Imam 'Alī ('A) supplicates to

When washing his hands before performing *wuḍū'*, he should say:

بِسْمِ اللَّهِ وَ بِاللَّهِ، اللَّهُمَّ اجْعَلْنِي مِنَ التَّوَّابِينَ وَ اجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ
 bismil lāhi wa billāh, allāhummaj 'alnī minat tawwābīna waj 'alnī minal
 mutaṭahhirīn

In the name of Allah and by Allah. O Allah! Make me of those who often repent and make me of those who purify themselves.

When rinsing the mouth, he should say:

اللَّهُمَّ لَقِّنِي حُجَّتِي يَوْمَ أَلْقَاكَ، وَ أَطْلِقْ لِسَانِي بِذِكْرِكَ
 allāhumma laqqinnī ḥujjatī yawma alqāk, wa aṭliq lisānī bidhikrik
 O Allah! Inculcate in me my proof on the day I meet You, and make
 my tongue fluent with Your remembrance.

When rinsing the nose, he should say:

اللَّهُمَّ لَا تُحَرِّمْ عَلَيَّ رِيحَ الْجَنَّةِ، وَ اجْعَلْنِي مِمَّنْ يَسْتَمُّ رِيحَهَا وَ رَوْحَهَا وَ طِبِيبَهَا
 allāhumma lā tuḥarrim 'alayya rīḥal jannah, waj 'alnī mimmay yashammu
 rīḥahā wa rawḥahā wa ṭibahā
 O Allah! Do not deprive me of the fragrance of Paradise, and make me
 of those who smell its fragrance, its breeze, and its perfume.

When washing the face, he should say:

اللَّهُمَّ بَيِّضْ وَجْهِي يَوْمَ تَسْوَدُّ فِيهِ الْوُجُوهُ، وَ لَا تُسَوِّدْ وَجْهِي يَوْمَ
 تَبْيِضُ الْوُجُوهُ
 allāhumma bayyiḍ wajhī yawma taswaddu fīhil wujūh, wa lā tusawwid
 wajhī yawma tabyaḍḍul wujūh

O Allah! Brighten my face on the day when [some] faces shall darken, and do not darken my face on the day when [some] faces shall brighten.

When washing the right arm, he should say:

اَللّٰهُمَّ اَعْطِنِيْ كِتٰبِيْ يَمِيْنِيْ، وَ اَخْلَدْ فِي الْجَنّٰنِ بِيَسَارِيْ، وَ حَاسِبْنِيْ حِسَابًا
يَّسِيْرًا

allāhumma a'tinī kitābī biyamīnī, wal khulda fil jināni biyasārī, wa ḥāsibnī
ḥisābay yasīrā

O Allah! Give me my book [of deeds] in my right hand, and a permanent stay in Paradise with ease, and account me [for my deeds] with an easy accounting.

When washing the left arm, he should say:

اَللّٰهُمَّ لَا تُعْطِنِيْ كِتٰبِيْ بِشِمَالِيْ، وَلَا مِنْ وَّرَآءِ ظَهْرِيْ، وَلَا تَجْعَلْهَا مَغْلُوْلَةً
اِلَى عُنُقِيْ، وَ اَعُوْذُ بِكَ مِنْ مُّقْطَعَاتِ النَّيْرٰنِ

allāhumma lā tu'tinī kitābī bishimālī, wa lā miw warā'i ṣaḥrī, wa lā taj'alhā
maghlūlatan ilā 'unuqī, wa a'ūdhu bika mim muqatta'ātin nīrān

O Allah! Do not give me my book [of deeds] in my left hand, nor from behind my back, and do not chain it to my neck. I seek refuge with You from the garments made from Hell-fire.

When wiping the head, he should say:

اَللّٰهُمَّ غَشِّنِيْ بِرَحْمَتِكَ وَ بَرَكَاتِكَ وَ عَفْوِكَ

allāhumma ghashhinī biraḥmatika wa barakātika wa 'afwik

O Allah! Envelop me in Your mercy, Your blessings, and Your pardon.

When wiping the feet, he should say:

اَللّٰهُمَّ ثَبِّتْنِيْ عَلَى الصِّرَاطِ يَوْمَ تَزُلُّ فِيْهِ الْاَقْدَامُ، وَ اجْعَلْ سَعْيِيْ فِيمَا
يُرْضِيْكَ عَنِّيْ، يَا ذَا الْجَلَالِ وَ الْاِكْرَامِ

allāhumma thabbitnī 'alaṣ ṣirāṭi yawma tazillu fīhī al-aqdām, waj 'al sa'yī
fīmā yurḍhika 'annī, yā dhal jalālī wal ikrām

O Allah! Keep me firmly on the path on the day when feet shall stumble, and let my efforts be in those things that make You pleased with me, O Possessor of Majesty and Bounty!

CONDITIONS FOR THE VALIDITY OF *WUḌŪ'*

There are a number of conditions for *wuḏū'* to be valid.

The first condition: the water used for *wuḏū'* must be pure, and according to one opinion [of the jurists], it must not be tainted with anything that human beings find disgusting – such as the urine of an animal whose meat is lawful to eat, a carcass that is pure, or pus from an injury – even if it is pure in Islamic law. This opinion is consistent with exercising obligatory precaution.

The second condition: the water must not be mixed.

Ruling 264. *Wuḏū'* performed with impure or mixed water is invalid, even if one did not know at the time that it was impure or mixed, or he had forgotten about it; and if one has performed prayers with that *wuḏū'*, he must perform them again with a valid *wuḏū'*.

Ruling 265. If apart from mixed muddy water one does not have any other water with which to perform *wuḏū'*, in the event that the time remaining for prayers is short, he must perform *tayammum*; and if one has sufficient time, he must wait for the water to become clear, or he must make it clear by some means and perform *wuḏū'* with it. Muddy water is considered to be mixed water only when it can no longer be called 'water'.

The third condition: it must be permissible (*mubāḥ*) to use the water.

Ruling 266. Performing *wuḏū'* with usurped (*ghaṣbī*) water, or with water about which it is not known whether or not its owner consents to its use, is unlawful and invalid. Furthermore, if *wuḏū'* water drips from one's face or arms onto a usurped place, or, if the place in which one performs *wuḏū'* is usurped, in the event that he cannot perform *wuḏū'* in any other place, his responsibility (*taklīf*) is to perform *tayammum*; and if he can perform *wuḏū'* in another place, it is necessary for him to perform *wuḏū'* in that other place. However, in the event that he performs *wuḏū'* in the usurped place,

thus committing a sin, his *wuḍū'* is still valid.²⁹

Ruling 267. There is no problem in performing *wuḍū'* with water from the pool of a school when one does not know whether the pool is a charitable endowment (*waqf*) to the general public or only to the students of the school, as long as people usually perform *wuḍū'* with water from that pool and no one prohibits them from doing so.

Ruling 268. If someone does not want to perform prayers in a mosque and does not know whether the mosque's pool is a charitable endowment to the general public or only to those who perform prayers in the mosque, he cannot perform *wuḍū'* with water from the pool of the mosque. However, if people who also do not usually pray in that mosque perform *wuḍū'* with water from that pool and no one prohibits them from doing so, one can perform *wuḍū'* with it.

Ruling 269. Performing *wuḍū'* with water from pools in shopping arcades, hotels, and similar places by people who do not reside there is valid only in the event that usually people who do not reside there also perform *wuḍū'* with water from those pools and no one prohibits them from doing so.

Ruling 270. There is no problem in performing *wuḍū'* with water from streams that rational people would consider permissible to use without the permission of the owner – irrespective of whether the owner is an adult or a child – even if one does not know that the owner consents to it. In fact, it is permitted to use a stream's water even if the owner forbids performing *wuḍū'* with it, or if one knows that the owner does not consent, or if the owner is a minor (*ṣaghīr*) or insane.

Ruling 271. If a person forgets that some water is usurped and per-

²⁹ Two scenarios are envisaged here: in the first, the person's duty is to perform *tayammum* as he cannot perform *wuḍū'* except in a place that is usurped. In the second scenario, his duty is to perform *wuḍū'* in a place that is not usurped, this being a viable option for him. However, if in both of these scenarios he does not act according to his duty and goes ahead and performs *wuḍū'* in the usurped place anyway, he will have sinned. Nevertheless, the *wuḍū'* that he performed there is valid.

forms *wuḍū'* with it, his *wuḍū'* is valid. However, if someone usurps some water himself and then having forgotten that it is usurped performs *wuḍū'* with it, then to consider his *wuḍū'* as being valid is problematic [i.e. based on obligatory precaution, it is not considered to be valid].

Ruling 272. If a person owns the *wuḍū'* water but the water is in a usurped container and no other water is available, in case he can empty the water in a lawful manner into another container, it is necessary for him to do so and then perform *wuḍū'*; and in the event that this is not possible, he must perform *tayammum*; and if he has some other water, it is necessary for him to perform *wuḍū'* with that other water. In both cases, if he acts contrary to the above and performs *wuḍū'* with water from a usurped container, his *wuḍū'* is valid.

Ruling 273. If a brick or a stone of a pool, for example, is usurped, in the event that drawing water from the pool is not commonly regarded as using the brick or stone, there is no problem. However, in the event that it is regarded as using the brick or stone, then drawing water from the pool is unlawful but the *wuḍū'* is valid.

Ruling 274. If a pool or a stream is built in the courtyard of the shrine (*ḥaram*) of one of the Imams (‘A) or one of the children of the Imams (‘A), and that courtyard had previously been a graveyard, in the event that one does not know that the ground of the courtyard is a charitable endowment for the graveyard, there is no problem in performing *wuḍū'* from the water of that pool or stream.

The fourth condition: the parts of the body on which *wuḍū'* is performed must be pure at the time of washing and wiping, even if one purifies them during *wuḍū'* before he washes or wipes;³⁰ and if the washing during *wuḍū'* is performed with *kurr* water or suchlike, then purifying an impure part before washing is not necessary [as it will become pure during the *wuḍū'*].

³⁰ For example, if one's arm is impure, and at the time of performing *wuḍū'* he pours water onto it and purifies it, and if this is done before he wipes his arm down with his hand, then the fourth condition will have been fulfilled.

Ruling 275. If a place that has been washed or wiped becomes impure before the *wuḍūʾ* has been completely performed, the *wuḍūʾ* is valid.

Ruling 276. If a part of the body on which *wuḍūʾ* is not performed is impure, the *wuḍūʾ* is valid. However, if one has not purified the urinary outlet or the anus, the recommended precaution is that one should first purify it and then perform *wuḍūʾ*.

Ruling 277. If one of the parts of the body on which *wuḍūʾ* is performed is impure and after performing *wuḍūʾ* one doubts whether or not he washed it with water before performing *wuḍūʾ*, the *wuḍūʾ* is valid. However, he must still wash the part that was impure with water.

Ruling 278. If there is a cut or a wound on one's face or arms, and blood from it does not stop, and water is not harmful to it, he must – having first washed that area in the correct order of *wuḍūʾ* – immerse the cut or wound in *kurr* or flowing water, and then put pressure on it so that the blood stops; then, under the water, he must draw his finger along the cut or wound from top to bottom so that water flows over it, and then wash the lower parts; if he does this, his *wuḍūʾ* is valid.

The fifth condition: there must be sufficient time for performing *wuḍūʾ* and prayers.

Ruling 279. If there is so little time [before the end of the prescribed time for prayers] that by performing *wuḍūʾ* the entire prayer or part of it would have to be performed after its time, one must perform *tayammum*. However, if the time required for performing *tayammum* and *wuḍūʾ* is the same, one must perform *wuḍūʾ*.

Ruling 280. If due to the shortage of time for prayers one's duty is to perform *tayammum* but instead he performs *wuḍūʾ* with the intention of attaining proximity to Allah (*qaṣd al-qurbah*), or [he performs *wuḍūʾ*] for a recommended act, like reciting the Qur'an, then the *wuḍūʾ* he performed is valid [despite the fact that his duty was to perform *tayammum*]. Similarly, the *wuḍūʾ* would still be valid if he performed it with the intention of performing that prayer, unless he did so without the intention of attaining proximity to Allah.

The sixth condition: one must perform *wuḍū'* with the intention of attaining proximity to Allah, and it is sufficient to perform it with the intention of following the command of Allah. And if one performs *wuḍū'* in order to cool down or with some other intention, it is invalid.

Ruling 281. It is not necessary for one to actually utter the intention (*niyyah*) of performing *wuḍū'*, or to feel it in his heart; rather, it is sufficient if he performs all the acts of *wuḍū'* in compliance with the command of Allah.

The seventh condition: *wuḍū'* must be performed in the sequence (*tartīb*) mentioned earlier, i.e. first the face must be washed, then the right arm, and then the left arm; following that, the head must be wiped and then the feet. And the recommended precaution is that one should not wipe both feet together; rather, one should wipe the left foot after the right foot.

The eighth condition: the acts of *wuḍū'* must be performed in close succession (*muwālāh*).

Ruling 282. If there is a gap in-between the acts of *wuḍū'* to the extent that the acts of *wuḍū'* cannot be commonly regarded as being performed in close succession, the *wuḍū'* is invalid. However, this does not apply if a legitimate excuse (*'udhr*) arises; for example, one forgets that he is performing *wuḍū'*, or the water runs out. In fact, if when one wants to wash or wipe a place, the moisture on all the places that he has already washed or wiped has dried up, the *wuḍū'* is invalid. And if only the moisture on the place that comes before the area he wants to wash or wipe has dried up – for example, when he wants to wash his left arm, the moisture on his right arm has dried up but his face is still wet – his *wuḍū'* is valid.

Ruling 283. If a person performs the acts of *wuḍū'* in close succession but the moisture on the previous places has dried up by means of hot weather or on account of excess body heat and suchlike, his *wuḍū'* is valid.

Ruling 284. There is no problem in walking while performing *wuḍū'*; therefore, if after washing the face and arms one walks a few steps

and then wipes his head and feet, his *wuḍū'* is valid.

The ninth condition: washing the face and arms and wiping the head and feet must be performed by the person himself; and if someone else performs *wuḍū'* on him or helps him in getting the water to his face and arms, or in wiping his head and feet, his *wuḍū'* is invalid.

Ruling 285. If a person cannot perform *wuḍū'* by himself, he must get assistance from someone else even if this results in the two of them washing and wiping jointly; and in the event that the helper wants payment, the *mukallaf* must pay him, provided that he is able to do so and it does not harm him financially. However, in such a case, the *mukallaf* must himself make the intention of performing *wuḍū'* and wipe with his own hands; and if the *mukallaf* cannot perform *wuḍū'* jointly with the helper, he must ask the helper to perform *wuḍū'* on him, in which case the obligatory precaution is that both of them must make the intention of performing *wuḍū'*; and if it is possible, the helper must take the hand of the *mukallaf* and draw it over the place of wiping; and if it that is not possible, the helper must take some moisture from the *mukallaf's* hands and with that moisture wipe the *mukallaf's* head and feet.

Ruling 286. One must not get assistance from someone else in performing those acts of *wuḍū'* that he can perform by himself.

The tenth condition: using the water must not be harmful for the person.

Ruling 287. If someone fears that by performing *wuḍū'* he will fall ill, or that if he uses water for performing *wuḍū'* he will remain thirsty, he does not have any obligation to perform *wuḍū'*. And if one does not know that water is harmful for him and he performs *wuḍū'* and the water really was harmful for him, his *wuḍū'* is void.

Ruling 288. If a person would not be harmed by washing his face and arms with the minimum amount of water with which performing *wuḍū'* is valid but he would be harmed by using an amount more than that, he must perform *wuḍū'* with the minimum amount.

The eleventh condition: there must not be an obstruction for water to reach the parts of the body on which *wuḍūʾ* is performed.

Ruling 289. If a person knows that something is stuck to a part of the body on which *wuḍūʾ* is performed but he doubts as to whether or not it would prevent water from reaching that part, he must remove it or make the water go underneath it.

Ruling 290. There is no problem if there is dirt under one's nails. However, if the nails are clipped, in the event that the dirt is an obstruction for water to reach the skin, one must remove the dirt for the purposes of *wuḍūʾ*. Furthermore, if one's nails are unusually long, then dirt collected under the length that is longer than normal must be removed.

Ruling 291. If there is swelling on one's face, arms, front of head, or feet as a result of being burnt or due to some other reason, it is sufficient to wash and wipe over it; and in the event that the swelling is pierced, it is not necessary to make water go underneath the skin. If part of the skin has peeled, it is not necessary to make water go underneath the unpeeled part; however, in the event that the peeled skin is such that it sometimes sticks to the body and at other times it hangs loose, one must cut it off or make water go underneath it.

Ruling 292. If a person doubts whether or not something is stuck to a part of the body on which *wuḍūʾ* is performed, in the event that his deeming this probable would be considered by people to be reasonable – for example, after working with clay, one doubts whether or not clay is stuck to his hands – he must examine that part or rub his hands to the extent that he becomes confident that if there was something stuck on them, it has been removed or water has gone underneath it.

Ruling 293. If a place on the body that must be washed or wiped is dirty but the dirt is not an obstruction to water reaching the body, there is no problem. Similarly, there is no problem if after plastering and suchlike, something white remains on one's hand that does not prevent water from reaching it. However, if one doubts whether or not its presence will prevent water from reaching that part of the body, he must remove it.

Ruling 294. If before performing *wuḍū'* one knows that on some parts of the body on which *wuḍū'* is performed there is an obstruction for water to reach those parts, and after *wuḍū'* he doubts whether at the time of performing *wuḍū'* he made water reach those parts or not, his *wuḍū'* is valid.

Ruling 295. If on some parts of the body on which *wuḍū'* is performed there is an obstruction which water sometimes manages to go under by itself and at other times it does not, and if one doubts after performing *wuḍū'* whether water went under it or not, then, in the event that he knows that while he was performing *wuḍū'* he was not aware of water going under it, the recommended precaution is that he should perform *wuḍū'* again.

Ruling 296. If after performing *wuḍū'* someone sees on a part of the body on which *wuḍū'* is performed something that is an obstruction to water reaching that part, and if he does not know whether it was present at the time of performing *wuḍū'* or it appeared afterwards, his *wuḍū'* is valid. However, if he knows that at the time of performing *wuḍū'* he was not aware of the obstruction, the recommended precaution is that he should perform *wuḍū'* again.

Ruling 297. If a person doubts after performing *wuḍū'* whether or not there was something that was an obstruction to water reaching those parts of the body on which *wuḍū'* is performed, the *wuḍū'* is valid.

LAWS OF *WUḌŪ'*

Ruling 298. Someone who frequently doubts about the acts of *wuḍū'* and its conditions – such as the water being pure and not being usurped – must not give heed to his doubts.

Ruling 299. If someone doubts whether his *wuḍū'* has become void or not, he must treat it as still being valid. However, if after urinating one does not perform *istibrā'* and performs *wuḍū'*, and after performing *wuḍū'* some fluid is discharged about which he does not know whether it is urine or something else, his *wuḍū'* is void.

Ruling 300. If a person doubts whether he has performed *wuḍūʾ* or not, he must [deem that he has not and] perform *wuḍūʾ*.

Ruling 301. If someone knows he has performed *wuḍūʾ* and also knows that he has done something that invalidates *wuḍūʾ* – for example, he has urinated – but he does not know which one was first [i.e. he does not know whether he performed *wuḍūʾ* and then urinated, for example, or he urinated and then performed *wuḍūʾ*], then, in the event that he has this doubt before prayers, he must perform *wuḍūʾ* for those prayers; and if he has this doubt in-between prayers, he must break his prayer and perform *wuḍūʾ*; and if he has this doubt after prayers, the prayer that he performed is valid but he must perform *wuḍūʾ* for subsequent prayers.

Ruling 302. If a person becomes certain after or while performing *wuḍūʾ* that he has not washed or wiped some necessary places, in the event that the moisture on the previous parts has dried up due to the passing of time, he must perform *wuḍūʾ* again; and if the moisture has not dried up or it has dried up on account of hot weather and suchlike, he must wash or wipe the part that he forgot and the parts that follow it. And if during *wuḍūʾ* one doubts whether or not he has washed or wiped a place, he must follow the same instructions.

Ruling 303. If a person doubts after prayers whether he had performed *wuḍūʾ* or not, his prayers are valid but he must perform *wuḍūʾ* for subsequent prayers.

Ruling 304. If a person doubts during prayers whether or not he had performed *wuḍūʾ*, then based on obligatory precaution, he must perform *wuḍūʾ* and perform the prayer again.

Ruling 305. If a person realises after prayers that his *wuḍūʾ* has become void but doubts whether his *wuḍūʾ* became void before or after prayers, the prayers performed by him are valid.

Ruling 306. If a person suffers from an illness that causes urine to be discharged drop by drop [i.e. urinary incontinence], or, if he cannot control faeces from being discharged [i.e. faecal incontinence], in the event that he is certain he will have some respite from a discharge

between the beginning and the end of the prayer time such that he will be able perform *wuḍū'* and the prayers during the period of respite, he must perform prayers at the time he has this respite. And if the respite is long enough to perform only the obligatory acts of prayers, then at the time he has this respite he must perform only those acts of the prayer that are obligatory and leave the recommended acts, such as the call to prayer (*adhān*), the call to stand up for prayer (*iqāmah*), and the supplication that is recited with the hands placed in front of the face (*qunūt*).

Ruling 307. If a person finds respite [from the illness mentioned in the previous ruling] to perform *wuḍū'* and only part of the prayer, and during prayers some urine or faeces is discharged once or a few times, the obligatory precaution is that in the remaining respite period, he must perform *wuḍū'* and prayers. However, it is not necessary that during prayers he renews his *wuḍū'* on account of a discharge of urine or faeces.

Ruling 308. If urine or faeces is discharged with such frequency that the person does not find respite long enough to perform *wuḍū'* and part of the prayer, then one *wuḍū'* is sufficient for several prayers unless he does something else that invalidates *wuḍū'* – such as urinating or defecating in a natural manner, or sleeping – although it is better that he performs *wuḍū'* for every prayer. However, for a lapsed (*qaḍā'*) prostration (*sajdah*), a *qaḍā'* *tashahhud* (testifying), and the precautionary prayer (*ṣalāt al-iḥtiyāt*), performing another *wuḍū'* is not necessary.

Ruling 309. If urine or faeces are discharged continuously, it is not necessary for the person to perform prayers immediately after performing *wuḍū'*, although it is better that he makes haste to perform the prayers.

Ruling 310. If urine or faeces are discharged continuously, it is permitted for the person – after he has performed *wuḍū'* – to touch the writing of the Qur'an even if he is not in the state of performing prayers.

Ruling 311. Someone whose urine is discharged drop by drop must use

a bag in which there is some cotton or something else that prevents the urine from splashing onto other areas. And the obligatory precaution is that before every prayer, he must wash with water the urinary outlet that has become impure. If someone cannot control the discharge of faeces, he must prevent the faeces from spreading onto other areas during prayers if it is possible for him to do so. And the obligatory precaution is that if it is not excessively difficult, he must wash the anus with water before every prayer.

Ruling 312. If someone cannot control the discharge of urine or faeces, he must prevent their discharge during prayers if it is possible for him to do so; and it is better that he prevents it even if he incurs an expense in doing so; and if his illness can be treated easily, it is better that he is treated.

Ruling 313. If someone cannot control the discharge of urine or faeces, then after recovering from his illness, it is not necessary for him to repeat the prayers that he performed in accordance with his religious duty while he was ill. However, if during the time of prayers he recovers from his illness, then based on obligatory precaution, he must repeat the prayer he performed at that time.

Ruling 314. If someone suffers from an illness that does not allow him to stop passing wind, he must act in accordance with the duty of those who cannot control the discharge of urine and faeces.

THINGS FOR WHICH ONE MUST PERFORM *WUḌŪ'*

Ruling 315. It is obligatory to perform *wuḏū'* for six things:

1. for obligatory prayers – except the funeral prayer (*ṣalāt al-mayyit*) – and for recommended prayers;
2. for a *sajdah* and *tashahhud* that have been forgotten, if between them and the prayer one has done something that invalidates *wuḏū'*; for example, he has urinated. It is not obligatory, however, to perform *wuḏū'* for the prostration for inadvertence (*sajdat al-sahw*);
3. for the obligatory circumambulation (*ṭawāf*) of the Ka'bah that

is part of hajj or ‘*umrah*;³¹

4. if one had made a vow (*nadhr*) or a covenant (‘*ahd*) or had taken an oath (*qasam*) that he would perform *wuḍū’*;
5. if one had made a vow that, for example, he would kiss the writing of the Qur’an;
6. for washing a copy of the Qur’an that has become impure or for taking it out from a lavatory and such places, in the event that he is obliged to touch the writing of the Qur’an with his hand or with some other part of his body. However, in the event that the delay that would be caused by performing *wuḍū’* would result in further disrespect to the Qur’an, one must take the Qur’an out from the lavatory and such places – or wash it if it has become impure – without performing *wuḍū’*.

Ruling 316. Touching the writing of the Qur’an – i.e. making a part of the body come into contact with the writing of the Qur’an – for someone who does not have *wuḍū’* is unlawful. However, if the Qur’an is translated into another language, then touching the translation is not a problem.

Ruling 317. It is not obligatory to prevent a child or an insane person from touching the writing of Qur’an. However, if their touching the Qur’an is deemed to be disrespectful to it, then one must prevent them from touching it.

Ruling 318. Based on obligatory precaution, it is unlawful for someone who does not have *wuḍū’* to touch the name of Allah the Exalted or His special attributes in whatever language they happen to be written. And it is better to also avoid touching the blessed names of Prophet Muḥammad (Ṣ), the Imams (‘A), and Her Eminence [Fāṭimah] al-Zahrā’ (‘A) without *wuḍū’*.

Ruling 319. At whatever time a person performs *wuḍū’* with the intention of attaining proximity to Allah, it is valid; and it does not matter whether he performs it shortly before the time for prayers, or well in advance of it, or after it has set in. Furthermore, it is not necessary for one to make the intention of performing an obligatory

³¹ ‘*Umrah* refers to the pilgrimage to Mecca that has fewer rituals than the hajj pilgrimage. It is sometimes referred to as the ‘minor pilgrimage’.

or recommended *wuḍūʾ*. In fact, even if one mistakenly makes the intention of performing an obligatory *wuḍūʾ* and afterwards realises that it was not obligatory, his *wuḍūʾ* is valid.

Ruling 320. If someone is certain that the time for prayers has set in and makes the intention of performing an obligatory *wuḍūʾ*, and after performing *wuḍūʾ* he realises that the time has not set in yet, the *wuḍūʾ* is valid.

Ruling 321. It is recommended for someone who has *wuḍūʾ* to perform *wuḍūʾ* again for every prayer. According to some jurists, it is recommended that one performs *wuḍūʾ* for *ṣalāt al-mayyit*, visiting graves, going to a mosque and to the shrines of the Imams (‘A), carrying the Qur’an, reading and writing it, touching its margins, and before sleeping. However, *wuḍūʾ* being recommended in these cases is not established. Of course, if one performs *wuḍūʾ* on the basis that it being recommended is probable, his *wuḍūʾ* is valid and he can perform any act that requires *wuḍūʾ* with that *wuḍūʾ*; for example, he can perform prayers with that *wuḍūʾ*.

THINGS THAT INVALIDATE *WUḌŪʾ*

Ruling 322. There are seven things that invalidate *wuḍūʾ*:

1. urinating; and apparently included in the ruling of urinating is the similar moisture that comes out after urinating and before performing *istibrāʾ*;
2. defecating;
3. passing wind of the stomach and of the intestine from the anus;
4. sleeping, which means that simultaneously one’s eyes do not see and one’s ears do not hear; however, if one’s eyes do not see but his ears hear, his *wuḍūʾ* does not become invalid;
5. things that cause one to lose his mind, such as insanity, intoxication, and unconsciousness;
6. *istiḥāḍah* of a woman, which will be discussed later;
7. *janābah*; and based on recommended precaution, all things for which one must perform *ghusl*.

LAWS OF *JABĪRAH WUḌŪ'*

'*Jabīrah*' refers to the thing with which a wound or a break in a bone is bandaged, and to medication that is applied to a wound etc.

Ruling 323. If on one of the parts of the body on which *wuḏū'* is performed there is a wound, boil, or broken bone, in the event that it is uncovered and water is not harmful for the person, he must perform *wuḏū'* in the normal manner.

Ruling 324. If a wound, boil, or broken bone is on one's face or arms, and it is uncovered, and pouring water over it is harmful, then the area around the wound or boil must be washed from top to bottom in the manner that was explained with regard to *wuḏū'*. And if drawing a wet hand over it is not harmful, it is better that one draws a wet hand over it, places a pure cloth over it, and then draws a wet hand over the cloth as well. As for the case of a broken bone, it is necessary to perform *tayammum* [instead of *jabīrah wuḏū'*].

Ruling 325. If a wound, boil, or broken bone is on the front part of the head, or on the feet, and it is uncovered, then in the event that one cannot wipe it – meaning that the wound, for example, covers the entire area that is to be wiped, or for some reason he is unable to wipe even the unaffected areas – in such a case, it is necessary for him to perform *tayammum*; and based on obligatory precaution, he must also perform *wuḏū'* and place a pure cloth over it and wipe over the cloth with the wetness of the *wuḏū'* water left on his hand.

Ruling 326. If a boil, wound, or broken bone is covered, and uncovering it is possible without causing excessive difficulty, and water is not harmful for the person, then he must uncover it and perform *wuḏū'*, irrespective of whether the wound and suchlike is on the face or arms, or on the front part of the head, or on the feet.

Ruling 327. If a wound, boil, or broken bone that is covered is on the face or arms, in the event that it is harmful to uncover and pour water over it, one must wash as much of the area around it as possible; and based on obligatory precaution, one must also wipe over the *jabīrah*.

Ruling 328. If it is not possible to uncover a wound but the wound and the thing that has been placed over it are pure, and if making water reach the wound is possible and not harmful, then one must make water go over the wound from top to bottom. If the wound or the thing that has been placed over it is impure, in the event that it is possible to wash that thing with water and to make water go over the wound, one must wash it with water and at the time of performing *wuḍū'* he must make the water reach the wound. And in the event that water is not harmful for the person but washing it with water is not possible, or, if uncovering the wound causes excessive difficulty or it is harmful for him, he must perform *tayammum*.

Ruling 329. If the *jabīrah* completely covers one of the parts of the body on which *wuḍū'* is performed, then performing *jabīrah wuḍū'* is sufficient. However, if the *jabīrah* covers all or most of the parts of the body on which *wuḍū'* is performed, then based on obligatory precaution, one must perform *tayammum* and *jabīrah wuḍū'*.

Ruling 330. It is not necessary for the *jabīrah* to be made of something that one is permitted to wear when performing prayers. Therefore, if the *jabīrah* is made of silk or parts of an animal whose meat is unlawful to eat, it is permitted to wipe over it.

Ruling 331. If someone has a *jabīrah* on the palm of his hand or on his fingers, and at the time of performing *wuḍū'* he draws his wet hand over it, he must wipe his head and feet with the same moisture [that has gathered on the *jabīrah*].

Ruling 332. If the *jabīrah* covers the entire surface of the top of the foot except for an area over the toes and at the top of the foot, one must wipe the places that are uncovered and over the *jabīrah* that is covering the other parts.

Ruling 333. If there are several *jabīrahs* on one's face or arms, he must wash between them; and if the *jabīrahs* are on the head or on the feet, he must wipe between them; and for those places covered by the *jabīrah*, he must act according to the rules of *jabīrah*.

Ruling 334. If the *jabīrah* has covered more than the normal area

around the wound and it is not possible to remove it without causing excessive difficulty, one must perform *tayammum*, unless the *jabīrah* is on a place of the body that *tayammum* is performed on, in which case it is necessary to perform both *wuḍūʾ* and *tayammum*. In both cases, if it is possible to remove the *jabīrah* without causing excessive difficulty, the *jabīrah* must be removed. Therefore, if the wound is on the face or arms, the area around it must be washed; and if it is on the head or on top of the feet, the area around that must be wiped; and for the place of the wound, one must act according to the rules of *jabīrah*.

Ruling 335. If there is no wound, cut, or broken bone on a part of the body on which *wuḍūʾ* is performed but water is harmful for the person for some other reason, he must perform *tayammum*.

Ruling 336. If phlebotomy³² has been performed on one of the parts of the body on which *wuḍūʾ* is performed and one cannot wash it with water, it is necessary to perform *tayammum*. However, if one can wash it with water but water is harmful for him, then he must act according to the rules of *jabīrah*.

Ruling 337. If something is stuck on a part of one's body on which *wuḍūʾ* or *ghusl* is performed and it is not possible to remove it, or the difficulty involved in removing it is such that it cannot be endured, then his responsibility is to perform *tayammum*. However, if the thing that is stuck is on a part of one's body on which *tayammum* is performed, it is necessary to perform both *wuḍūʾ* and *tayammum*. Furthermore, if the thing that is stuck is some form of treatment, it is ruled as *jabīrah*.

Ruling 338. For all *ghusls* – apart from the *ghusl* given to a corpse – *jabīrah ghusl* is performed like *jabīrah wuḍūʾ*²; however, based on obligatory precaution, one must perform it in sequence. If there is a wound or a boil on the body, one has the choice of performing *ghusl* or *tayammum*; and in the event that one chooses to perform *ghusl* and the wound is not covered, the recommended precaution is that he places a pure cloth over the wound or the uncovered boil and wipes over the cloth. However, if there is a broken bone in the body, one

³² Phlebotomy is the practise of bloodletting, i.e. a treatment in which a vein is cut to release blood.

must perform *ghusl*, and as a precautionary measure, he must also wipe over the *jabīrah*; and in the event that it is not possible to wipe over the *jabīrah* or the place of the broken bone is uncovered, it is necessary to perform *tayammum*.

Ruling 339. If someone's responsibility is to perform *tayammum* but on some of the parts of his body on which *tayammum* is performed he has a wound, boil, or broken bone, he must perform *jabīrah wuḍū'* *tayammum* in accordance with the rules of *jabīrah wuḍū'*.

Ruling 340. If someone must perform prayers with *jabīrah wuḍū'* or *ghusl*, in the event that he knows his legitimate excuse for not performing normal *wuḍū'* or *ghusl* will remain valid until the end of the time for prayers, he can perform prayers at the beginning of their time. However, if he has hope that his legitimate excuse will expire before the end of the time for prayers, it is better that he waits; and in the event that his legitimate excuse remains valid, he must perform prayers with *jabīrah wuḍū'* or *ghusl* at the end of the time for prayers; and in the event that he performed prayers at the beginning of their time and his legitimate excuse expired by the end of the time for prayers, the recommended precaution is that he should perform *wuḍū'* or *ghusl* and repeat the prayers.

Ruling 341. If someone keeps his eye lashes stuck together because of an illness in his eye, he must perform *tayammum*.

Ruling 342. If someone does not know whether his duty is to perform *tayammum* or *jabīrah wuḍū'*, then based on obligatory precaution, he must perform both of them.

Ruling 343. The prayers that one performs with *jabīrah wuḍū'* are valid, and he can perform subsequent prayers with that *wuḍū'* as well.

OBLIGATORY (WĀJIB) RITUAL BATHING (GHUSL)

There are seven obligatory *ghusls*:

1. the *ghusl* for ritual impurity (*janābah*);

2. the *ghusl* for menstruation (*ḥayḍ*);
3. the *ghusl* for lochia³³ (*nifās*);
4. the *ghusl* for irregular blood discharge (*istiḥāḍah*);
5. the *ghusl* for touching a corpse (*mass al-mayyit*);
6. the *ghusl* given to a corpse (*mayyit*);
7. a *ghusl* that becomes obligatory on account of a vow (*nadhr*), oath (*qasam*), or suchlike.

If there is a total solar eclipse or a total lunar eclipse and a *mukallaf* intentionally (*‘amdan*) does not perform the prayer of signs (*ṣalāt al-āyāt*) in its prescribed time, then based on obligatory precaution, he must perform *ghusl* before he makes it up [i.e. when he performs *ṣalāt al-āyāt* belatedly (*qaḍā’*), he cannot do so with *wuḍū’*; rather, he must perform *ghusl* first and then perform the prayer with that *ghusl*].

LAWS OF RITUAL IMPURITY (JANĀBAH)

Ruling 344. A person becomes *junub*³⁴ in two ways:

1. sexual intercourse;
2. ejaculation of semen, whether he is asleep or awake, and whether it is a little or a lot, with or without lust, voluntarily or involuntarily.

Ruling 345. If some fluid comes out of the penis and the man does not know whether it is semen, urine, or something else – in the event that it comes out with three characteristics: it is accompanied by lust, it comes out with a gush, and one’s body feels weak after it has come out – then that fluid is ruled as being semen; and if none of these three characteristics are present or if even one of them is not, it is not ruled as being semen. However, in the case of a sick person, it is not necessary that the fluid comes out with a gush or that at the time of coming out his body feels weak; rather, if the only characteristic present is that it comes out with lust, it is ruled as being semen.

As for the fluid that is discharged from the vagina when a woman engages in foreplay or imagines lustful thoughts and which is not

³³ That is, blood discharged after childbirth.

³⁴ *Junub* is the term used to refer to a person who is in the state of *janābah*.

enough to dirty other places [such as her clothing], it is pure and does not require *ghusl* to be performed and nor does it invalidate *wuḍūʾ*. However, if the discharged fluid is a lot – to the extent that it can be called an ‘ejaculation’ and it dirties clothing – then in case it is discharged when the woman reaches sexual climax and complete sexual satisfaction (orgasm), it is impure and causes *janābah*. In fact, even if it is not discharged at that moment, then based on obligatory precaution, it is impure and causes *janābah*. And whenever a woman doubts whether or not a discharge of fluid was to this extent, or she doubts whether or not fluid was discharged at all, then performing *ghusl* is not obligatory on her and nor does it invalidate *wuḍūʾ* and *ghusl*.

Ruling 346. If some fluid is discharged by a man who is not sick and that fluid has one of the three characteristics mentioned in the previous ruling, but the man does not know whether or not it had any of the other characteristics, [he will not be *junub* and] in the event that he had *wuḍūʾ* before the discharge of the fluid, that *wuḍūʾ* remains valid; and if he did not have *wuḍūʾ*, he only needs to perform *wuḍūʾ* [when required], and performing *ghusl* is not obligatory on him.

Ruling 347. It is recommended that one urinates after ejaculation; if he does not urinate, and after performing *ghusl* some fluid comes out about which he does not know whether it is semen or some other fluid, it is ruled as being semen.

Ruling 348. If a person has sexual intercourse with a woman and penetration occurs up to or more than the circumcised part of the penis – irrespective of whether the penetration was in the vagina or in the anus, and whether the man had reached the age of legal responsibility (*bulūgh*) or not – then, even if semen is not ejaculated, both the man and the woman become *junub*.

Ruling 349. If a person doubts whether or not penetration has occurred up to the circumcised part of the penis, *ghusl* is not obligatory on him.

Ruling 350. If, God forbid, a man has sexual intercourse with an animal and the man ejaculates, *ghusl* is sufficient. If he does not ejaculate

and he had *wuḍū'* before penetration, again *ghusl* is sufficient; but if he did not have *wuḍū'*, the obligatory precaution is that he must perform *ghusl* and *wuḍū'*. The ruling is the same in the case of a man having sexual intercourse with another man or with a boy [God forbid].

Ruling 351. If a person feels the movement of semen but does not ejaculate, or, if one doubts whether semen has been ejaculated or not, *ghusl* is not obligatory on him.

Ruling 352. If someone cannot perform *ghusl* but it is possible for him to perform *tayammum*, he can still have sexual intercourse with his wife even after the time for prayers has set in.

Ruling 353. If a person sees semen on his clothes and knows that it has come from himself, and he has not performed *ghusl*, he must perform *ghusl* and make up [i.e. perform as *qadā'*] those prayers that he is certain of having performed while he was *junub*. However, it is not necessary for him to make up those prayers that he deems only probable of having performed before ejaculation of the semen.

THINGS THAT ARE UNLAWFUL (ḤARĀM) FOR A *JUNUB*

Ruling 354. Five things are unlawful for a *junub*:

1. touching the writing of the Qur'an with any part of the body, or the name of Allah in whichever language it may be written; and it is better not to touch the names of Prophets, Imams, and Her Eminence [Fāṭimah] al-Zahrā' (peace be upon them) as well;
2. entering Masjid al-Ḥarām and the Mosque of the Prophet (ﷺ), even to the extent of entering from one door and exiting from another;
3. staying in other mosques; and similarly, based on obligatory precaution, staying in the shrines of the Imams (ʿA). However, there is no problem if a *junub* passes through a mosque; for example, by entering from one door and exiting from another;

4. entering a mosque in order to take something from it; and similarly, based on obligatory precaution, placing something in it even if he does not enter the mosque himself;
5. reciting any of the verses for which *sajdah* is obligatory. These verses are found in four chapters (surahs) of the Qur'an:
 - a. Surat al-Sajdah (Chapter 32), verse 15;
 - b. Surat Fuṣṣilat (Chapter 41), verse 37;
 - c. Surat al-Najm (Chapter 53), verse 62;
 - d. Surat al-ʿAlaq (Chapter 96), verse 19.

THINGS THAT ARE DISAPPROVED (MAKRŪH) FOR A JUNUB

Ruling 355. Nine things are disapproved for a *junub*:

- 1.-2. eating and drinking; however, if one washes his face and hands and rinses his mouth, then eating and drinking are not disapproved; and if one only washes his hands, then the disapproval is lessened;
3. reciting more than seven verses of the Qur'an that do not contain an obligatory *sajdah*;
4. touching the cover, margins, or spaces between the writing of the Qur'an with any part of the body;
5. keeping the Qur'an with oneself;
6. sleeping; however, if one performs *wuḍūʿ*, or on account of not having water one performs *tayammum* in place of *ghusl*, it is not disapproved;
7. dyeing hair with henna or something similar;
8. rubbing oil on the body;
9. having sexual intercourse after having a wet dream, i.e. after semen has been ejaculated in one's sleep.

THE GHUSL FOR JANĀBAH

Ruling 356. The *ghusl* for *janābah* is obligatory for obligatory prayers and suchlike, but it is not necessary for *ṣalāt al-mayyit*, *sajdat al-sahw*,

the prostration for offering thanks (*sajdat al-shukr*), and for the obligatory prostrations of the Qur'an.

Ruling 357. It is not necessary that at the time of performing *ghusl* one makes the intention of performing an obligatory *ghusl*; rather, it is sufficient if one performs *ghusl* with only the intention of *qurbah*, i.e. in humility to the Lord of the worlds.

Ruling 358. If a person is certain that the time for prayers has set in, and he makes the intention of performing an obligatory *ghusl*, and afterwards he realises that actually he performed *ghusl* before the time for prayers had set in, his *ghusl* is valid.

Ruling 359. Two types of *ghusls* for *janābah* can be performed: sequential (*tartībī*) and immersive (*irtimāsī*).

SEQUENTIAL RITUAL BATHING (AL-GHUSL AL-TARTĪBĪ)

Ruling 360. In sequential *ghusl*, one must – based on obligatory precaution – first wash with the intention of *ghusl* the entire head and neck and then the entire body; and it is better to first wash the right side of the body, then the left. In the event that one intentionally or due to being negligent in learning the laws of *ghusl* does not wash the entire head and neck before washing the body, then based on obligatory precaution, his *ghusl* is invalid. Furthermore, based on obligatory precaution, when performing *ghusl*, it is not sufficient to make the intention of *ghusl* when moving the head, neck, or body while they are already under the flow of water; rather, the part that one wants to perform *ghusl* on – in the event that it is already under the flow of water – must be taken out from under the flow of water and then washed with the intention of *ghusl*.

Ruling 361. In case one washes his body before his head and neck, it is not necessary for him to repeat the *ghusl*; rather, in the event that one washes his body again, his *ghusl* will be valid.

Ruling 362. If a person is not certain that he has completely washed both parts – i.e. his head and neck, and his body – then in order for him to be certain that he has washed both parts, when he washes one part he must wash an area of the other part as well.

Ruling 363. If after performing *ghusl* one realises that he has not washed an area of his body but he does not know which area it is, it is not necessary for him to wash his head and neck again, and he must only wash that area of his body that he deems probable he had not washed.

Ruling 364. If after performing *ghusl* one realises that he has not washed an area of his body, in the event that the unwashed area happens to be on the left side of his body, it is sufficient for him to wash only the unwashed area. And if the unwashed area happens to be on the right side of one's body, the recommended precaution is that after washing the unwashed area, he should wash the entire left side again. Furthermore, if the unwashed area happens to be on one's head and neck, then based on obligatory precaution, he must wash his body again after he has washed the unwashed area.

Ruling 365. If before completing *ghusl* one doubts whether or not he has washed a particular area on the left or right side of his body, it is necessary that he washes that area. And if a person doubts whether or not he has washed an area that is on his head or neck, then based on obligatory precaution, after he has washed that area he must wash his body again.

IMMERSIVE RITUAL BATHING (*AL-GHUSL AL-IRTIMĀSĪ*)

Two types of immersive *ghusl* can be performed: instantaneous (*daf'i*) and gradual (*tadriji*).

Ruling 366. In instantaneous immersive *ghusl*, water must cover the

entire body in one go.³⁵ However, it is not necessary for the entire body to be out of the water before starting the *ghusl*; rather, it will suffice if part of the body is out of the water and the person goes under the water completely with the intention of performing *ghusl*.

Ruling 367. In gradual immersive *ghusl*, one must gradually – but in a way that can be commonly considered to be one unified action – immerse his body in water with the intention of *ghusl*. In this type of *ghusl*, it is necessary for each part of the body to be out of the water before it is washed.³⁶

Ruling 368. If after performing immersive *ghusl* one realises that water has not reached all the parts of his body, he must perform *ghusl* again, irrespective of whether or not he knows which parts of his body the water did not reach.

Ruling 369. If someone does not have time for performing sequential *ghusl* but has time for performing immersive *ghusl*, he must perform immersive *ghusl*.

Ruling 370. A person in the state of *iḥrām*³⁷ for hajj or ‘umrah must not perform immersive *ghusl*. However, if he forgetfully performs immersive *ghusl*, his *ghusl* is valid.

LAWS OF PERFORMING GHUSL

Ruling 371. In immersive and sequential *ghusl*, it is not necessary for the entire body to be pure before performing *ghusl*; rather, if the body becomes pure by immersing the body in water or by pouring water with the intention of *ghusl*, then *ghusl* will have taken place on condition that the water used to perform *ghusl* remains pure; for

³⁵ An example of instantaneous immersive *ghusl* is diving into a swimming pool with the intention of performing *ghusl*.

³⁶ An example of gradual immersive *ghusl* is gently entering a swimming pool by climbing down the steps on the side of the pool with the intention of performing *ghusl*.

³⁷ *Iḥrām* here refers to the state of ritual consecration of pilgrims during hajj.

example, one performs *ghusl* with *kurr* water.³⁸

Ruling 372. If someone who has become *junub* by unlawful means performs *ghusl* with hot water, his *ghusl* is valid even if he sweats [during the *ghusl*].

Ruling 373. If in *ghusl* any part of the outer area of the body is left unwashed, the *ghusl* is invalid. However, washing inside the ears, nose, and whatever is considered to be an inner part of the body is not obligatory.

Ruling 374. If a person doubts whether a part of the body is considered to be an outer or inner part, he must wash it.

Ruling 375. If earing holes and suchlike have become so stretched that their inner areas are considered to be outer parts of the body, those areas must be washed; otherwise, it is not necessary to wash them.

Ruling 376. Anything that is an obstacle for water to reach the body must be removed; and if one performs *ghusl* before becoming confident that the obstacle has been removed, the *ghusl* is invalid.

Ruling 377. If while performing *ghusl* one rationally deems it probable that there is something on his body that may be an obstacle for water to reach the body, he must examine it and become confident that it is not an obstacle.

Ruling 378. In *ghusl*, short hair that is considered part of the body must be washed. It is not obligatory to wash long hair. In fact, if one makes water reach the skin in a way that the hair does not become wet, the *ghusl* is valid. However, if it is not possible for water to reach the skin without the hair becoming wet, one must wash the hair in a way that water reaches the body.

Ruling 379. All the conditions that were mentioned for *wuḍūʾ* to be valid – such as the water being pure and not being usurped – are

³⁸ As mentioned in Ruling 15, as long as *kurr* water does not acquire the smell, colour, or taste of an impurity with which it has come into contact, it does not become impure.

also conditions for *ghusl* to be valid. However, in *ghusl*, it is not necessary for the body to be washed from top to bottom. Furthermore, in sequential *ghusl*, it is not necessary for the body to be washed immediately after washing the head and neck; therefore, there is no problem if after one has washed his head and neck he waits and after some time he washes his body. In fact, it is not necessary for the entire head and neck to be washed in one go; therefore, it is permitted, for example, for one to wash his head and after a while for him to wash his neck. Furthermore, if someone who cannot control the discharge of urine or faeces does not discharge urine or faeces for the length of time that it takes him to perform *ghusl* and prayers, he must immediately perform *ghusl* and then he must immediately perform prayers.

Ruling 380. If someone wants to pay on credit for using a public bath without knowing whether or not the owner consents [to this form of payment, but still performs *ghusl* there], then even if afterwards the owner accepts, his *ghusl* is void.

Ruling 381. If the owner of a public bath consents for the money owed to him for using the public bath to be paid on credit but the person who performs *ghusl* does not intend to pay the debt he owes him, or he intends to pay him from unlawful money, his *ghusl* is void.

Ruling 382. If someone pays the owner of a public bath from money on which the one-fifth tax (*khums*) has not been paid, then although he has committed an unlawful act, the apparent ruling is that his *ghusl* is valid but he remains indebted to those entitled (*mustahiqqūn*) to receive *khums*.

Ruling 383. Someone who doubts whether or not he has performed *ghusl* must perform it. However, if after performing *ghusl* one doubts whether or not his *ghusl* was valid, it is not necessary for him to perform *ghusl* again.

Ruling 384. If while one is performing *ghusl* he has a minor occurrence (*al-ḥadath al-aṣghar*)³⁹ – for example, he urinates – it is not

³⁹ *Ḥadath* (literally, ‘occurrence’) is a term used in Islamic law to refer to something that invalidates *wuḍūʿ*; it can be of two types: *al-ḥadath al-aṣghar* (minor occurrence)

necessary for him to stop performing the *ghusl* and to start another *ghusl* [all over again]; rather, he can complete his *ghusl* but based on obligatory precaution, he will require *wuḍūʿ* [for performing acts that require *wuḍūʿ*]. However, if [one has a minor occurrence while performing a sequential *ghusl* and] he changes from performing a sequential *ghusl* to an immersive one, or, [if one has a minor occurrence while performing an immersive *ghusl* and he changes from performing] an immersive *ghusl* to a sequential one, it is not necessary for him to also perform *wuḍūʿ*.

Ruling 385. If due to shortage of time one's duty was to perform *tayammum* but thinking that he had enough time to perform both *ghusl* and the prayer, he performed *ghusl* instead and his prayers became *qadāʿ* [i.e. they were not performed in their prescribed time], then in case he had performed *ghusl* with the intention of attaining proximity to Allah, his *ghusl* is valid even if he had performed the *ghusl* in order to perform prayers.

Ruling 386. If after performing prayers a person who has become *junub* doubts whether he had performed *ghusl* or not, the prayers he performed are valid; however, for future prayers he must perform *ghusl*. If after prayers he has a minor occurrence, it is necessary for him to also perform *wuḍūʿ*; and if there is time, he must, based on obligatory precaution, repeat the prayers he had performed.

Ruling 387. Someone who must perform a number of obligatory *ghusls* can perform one *ghusl* with the intention of all of them; and the apparent ruling is that if he makes the intention of one particular *ghusl*, it will suffice for other *ghusls* [and he does not have to make separate intentions].

and *al-ḥadath al-akbar* (major occurrence). A minor occurrence is something that requires one to perform *wuḍūʿ* in order to engage in an act of worship that requires *wuḍūʿ*, such as prayers. These things are: urinating, defecating, passing wind, sleeping, things that cause one to lose his mind (such as insanity, intoxication, and unconsciousness), and slight irregular blood discharge (*al-istiḥāḍah al-qalilah*).

As for a major occurrence, this is something that requires one to perform *ghusl* in order to perform an act of worship that requires *wuḍūʿ*; under this category come the following: ritual impurity (*janābah*), menstruation (*ḥayḍ*), lochia (*nifās*), medium and excessive irregular blood discharge (*al-istiḥāḍah al-mutawassiṭah* and *al-kathirah*), and touching a corpse (*mass al-mayyit*).

Ruling 388. If a verse of the Qur'an or a name of Allah the Exalted is written on part of one's body, in the event that he wants to perform *ghusl* in its sequential form, he must make water reach the area in a way that his hand does not touch the writing. The same applies if he wants to perform *wuḍū'* and a verse of the Qur'an is written on one of the parts of his body on which *wuḍū'* is performed; and [in case he wants to perform *wuḍū'*] and a name of Allah is written, the same applies, albeit based on obligatory precaution.

Ruling 389. Someone who has performed the *ghusl* for *janābah* must not perform *wuḍū'* for prayers; and he can perform prayers without performing *wuḍū'* after other obligatory *ghusls* as well, except *ghusl* for medium *istiḥāḍah*. Furthermore, [he can perform prayers without performing *wuḍū'*] with recommended *ghusls* – which will be discussed in Ruling 633 – although the recommended precaution is that [if he has performed a recommended *ghusl*], he should also perform *wuḍū'*.

IRREGULAR BLOOD DISCHARGE (ISTIḤĀḌAH)

One of the types of blood that is discharged by women is the blood of *istiḥāḍah*. A woman at the time of experiencing *istiḥāḍah* is called a '*mustahāḍah*'.

Ruling 390. Most of the time, the blood of *istiḥāḍah* is yellow in colour, cold, comes out without pressure or a burning sensation, and is not thick. However, it is possible, sometimes, for it to be black or red, warm, thick, and to come out with pressure and a burning sensation.

Ruling 391. There are three types of *istiḥāḍah*: slight (*qalilah*), medium (*mutawassīṭah*), and excessive (*kathīrah*).

Slight *istiḥāḍah* is when the blood only stains a piece of cotton [placed on the outside of the vagina] and does not seep into it.

Medium *istiḥāḍah* is when the blood seeps into a piece of cotton – albeit into only one side of it – but it does not reach the sanitary pad [or other absorbent item] that a woman would normally use to absorb the discharge of blood.

Excessive *istiḥāḍah* is when the blood soaks the piece of cotton and

reaches the sanitary pad [or other absorbent item].

LAWS OF *ISTIḤĀDAH*

Ruling 392. For slight *istiḥādah*, a woman must perform one *wuḍū'* for every prayer and she must wash the outside of the vagina with water if there is blood there. And based on recommended precaution, she should purify the piece of cotton with water or change it for every prayer.

Ruling 393. For medium *istiḥādah*, a woman must, based on obligatory precaution, perform one *ghusl* daily for her prayers, and she must do the things that were mentioned in the previous ruling with regard to slight *istiḥādah*. Therefore, if she experiences *istiḥādah* before or at the time of morning (*ṣubḥ*) prayers, she must perform *ghusl* for *ṣubḥ* prayers; and if she intentionally or forgetfully does not perform *ghusl* for *ṣubḥ* prayers, she must perform *ghusl* for midday (*ẓuhr*) and afternoon (*ʿaṣr*) prayers; and if she does not perform *ghusl* for *ẓuhr* and *ʿaṣr* prayers, she must perform *ghusl* before prayers at sunset (*maghrib*) and evening (*ʿishā'*) prayers, whether the bleeding has stopped or not.

Ruling 394. For excessive *istiḥādah*, a woman must, based on obligatory precaution, change or purify with water the piece of cotton and the sanitary pad [or other absorbent item]. It is also necessary for her to perform one *ghusl* for *ṣubḥ* prayers, one for *ẓuhr* and *ʿaṣr* prayers, and one for *maghrib* and *ʿishā'* prayers. Furthermore, she must not delay between *ẓuhr* and *ʿaṣr* prayers nor between *maghrib* and *ʿishā'* prayers; and if she delays between them, she must perform *ghusl* again for *ʿaṣr* and *ʿishā'* prayers.

All of this applies when blood continuously soaks the piece of cotton and reaches the sanitary pad [or other absorbent item]. However, in the event that there is a delay in the blood soaking the piece of cotton and reaching the sanitary pad [or other absorbent item] to the extent that the woman can perform one or more prayers in that time, the obligatory precaution is that whenever the blood soaks the piece of cotton and reaches the sanitary pad [or other absorbent item], she must change or purify them with water and perform *ghusl*.

Therefore, if a woman performs *ghusl* and, for example, she performs *zuhr* prayers but before ‘*aṣr*’ prayers or during ‘*aṣr*’ prayers blood soaks the piece of cotton and reaches the sanitary pad [or other absorbent item], then again, she must perform *ghusl* for ‘*aṣr*’ prayers. However, in the event that the delay is to the extent that in that time, the woman can perform two or more prayers – for example, she can perform *maghrib* and ‘*ishā*’ prayers before blood reaches the sanitary pad [or other absorbent item] again – then for those prayers [i.e. *maghrib* and ‘*ishā*’], it is not necessary for her to perform another *ghusl*. In each case, for excessive *istihādah*, *ghusl* suffices in place of *wuḍū’*.

Ruling 395. If the blood of *istihādah* is discharged before the time for prayers, in the event that a woman has not performed *wuḍū’* or *ghusl* [depending on her duty] for it, she must perform *wuḍū’* or *ghusl* at the time of prayers, even if she is not *mustahādah* at that moment.

Ruling 396. A woman who has medium *istihādah* and must perform *wuḍū’* as well as *ghusl*, must, based on obligatory precaution, first perform *ghusl* and then perform *wuḍū’*. However, if a woman who has excessive *istihādah* wants to perform *wuḍū’*, she must perform it before she performs *ghusl*.

Ruling 397. If the slight *istihādah* of a woman becomes medium after *ṣubḥ* prayers, she must perform *ghusl* for *zuhr* and ‘*aṣr*’ prayers; and if it becomes medium after *zuhr* and ‘*aṣr*’ prayers, she must perform *ghusl* for *maghrib* and ‘*ishā*’ prayers.

Ruling 398. If the slight or medium *istihādah* of a woman becomes excessive after *ṣubḥ* prayers and she remains in this state, she must observe the laws mentioned in Ruling 394 regarding *zuhr*, ‘*aṣr*’, *maghrib*, and ‘*ishā*’ prayers.

Ruling 399. For excessive *istihādah*, in case it is necessary for there not to be a delay between performing *ghusl* and prayers – as mentioned in Ruling 394. – then, if performing *ghusl* before the time for prayers has set in causes delay, that *ghusl* will be of no use for the purposes of performing the prayer and a *mustahādah* must perform *ghusl* again for the prayer. This ruling also applies to a woman who has medium *istihādah*.

Ruling 400. A woman who has slight or medium *istiḥāḍah* must perform *wuḍū'* for every prayer – including the daily prayers, for which the ruling has already been mentioned – be it an obligatory prayer or a recommended one. However, if she wants to perform again one of the daily prayers that she has already performed as a precautionary measure, or, if she wants to repeat in congregation (*jamā'ah*) the prayer she previously performed alone, she must do all the things that were mentioned with regard to *istiḥāḍah*. However, for performing *ṣalāt al-āyāt* or for a *sajdah* or *tashahhud* that has been forgotten, if she performs these immediately after prayers – and for *sajdat al-sahw* in any condition [i.e. whether she performs it immediately after prayers or not] – it is not necessary for her to do those things that were mentioned with regard to *istiḥāḍah*.

Ruling 401. After a *mustaḥāḍah* has stopped bleeding, she must do the things required of a *mustaḥāḍah* for only the first prayer that she performs. For subsequent prayers, it is not necessary for her to do those things.

Ruling 402. If a woman does not know which type of *istiḥāḍah* she has, then based on obligatory precaution, when she wants to perform prayers, she must examine herself. For example, she must insert some cotton wool into the vagina, wait a little while, and then take it out. After she has found out which of the three types of *istiḥāḍah* she has, she must do the things that have been instructed for that particular type. However, if she knows that until the time she wants to perform prayers her *istiḥāḍah* will not change, she can examine herself before the time for prayer has set in.

Ruling 403. If a *mustaḥāḍah* starts performing prayers without examining herself, in the event that she had the intention of attaining proximity to Allah and acted in accordance with her duty – for example, her *istiḥāḍah* was slight and she acted in accordance with the rules of someone who has slight *istiḥāḍah* – in such a case, her prayers are valid. However, if she did not have the intention of attaining proximity to Allah or her actions were not in accordance with her duty – for example, her *istiḥāḍah* was medium but she acted in accordance with the rules of someone who has slight *istiḥāḍah* – then her prayers are void.

Ruling 404. If a *mustahāḍah* cannot examine herself, she must act according to what is undoubtedly her responsibility. For example, if she does not know whether her *istihāḍah* is slight or medium, she must do the things required of a woman with slight *istihāḍah*; and if she does not know whether she has medium or excessive *istihāḍah*, she must do the things required of a woman with medium *istihāḍah*.⁴⁰ However, if she knows which one of the three types it was previously, she must act in accordance with the duties for that type.

Ruling 405. If when the blood of *istihāḍah* is first discharged it remains inside and does not come out, this does not invalidate a woman's *wuḍū'* or *ghusl*; but if it comes out – however little it may be – then this invalidates her *wuḍū'* and *ghusl*.

Ruling 406. If a *mustahāḍah* examines herself after prayers and does not see any blood, then even if she knows that bleeding will start again, she can perform prayers with the *wuḍū'* she already has.

Ruling 407. If a *mustahāḍah* knows that from the time she started performing *wuḍū'* or *ghusl* no blood has come out and nor is it in the vagina, she can delay performing prayers until the time she knows she will not experience *istihāḍah*.

Ruling 408. If a *mustahāḍah* knows that before the end of the time for prayers her *istihāḍah* will completely stop or that it will stop for long enough for her to perform prayers, then based on obligatory precaution, she must wait and perform prayers when her *istihāḍah* has stopped.

Ruling 409. If after performing *wuḍū'* and *ghusl* the bleeding appears to have stopped and a *mustahāḍah* knows that if she delays the prayer her *istihāḍah* will stop for long enough for her to perform *wuḍū'*, *ghusl*, and prayers, then based on obligatory precaution, she must delay the prayer; and when her *istihāḍah* completely stops, she must perform *wuḍū'* and *ghusl* again and perform the prayer. Furthermore, if when the bleeding appears to have stopped the time for prayers is short, it

⁴⁰ In these two examples, the *mustahāḍah* knows for sure that her *istihāḍah* is at least the lesser type. It could possibly be more than this, but as that is only a possibility, she must act according to what she knows is certain, i.e. the lesser type.

is not necessary for her to perform *wuḍūʿ* and *ghusl* again; rather, she can pray with the *wuḍūʿ* and *ghusl* that she already has.

Ruling 410. When the bleeding of a woman with excessive *istiḥāḍah* completely stops, if she knows that from the time she became engaged in performing *ghusl* for the previous prayer there has not been any discharge of blood, it is not necessary for her to perform *ghusl* again. Apart from this case, she must perform *ghusl*, based on obligatory precaution. As for a woman who has medium *istiḥāḍah*, it is not necessary for her to perform *ghusl* if her *istiḥāḍah* has completely stopped.

Ruling 411. After a woman who has slight *istiḥāḍah* performs *wuḍūʿ*, and after a woman who has medium *istiḥāḍah* performs *ghusl* and *wuḍūʿ*, and after a woman who has excessive *istiḥāḍah* performs *ghusl*, she must immediately engage in performing her obligatory prayers [for which the time is due], except in the two cases that were mentioned in Rulings 394 and 407. However, there is no problem if she says *adhān* and *iqāmah* before prayers, and [when she is performing prayers] she can also perform recommended acts of the prayer, such as *qunūt*.

Ruling 412. If the duty of a *mustahāḍah* is that she must not delay in performing *wuḍūʿ*, *ghusl*, and prayers, but she does not act according to her duty, she must perform *wuḍūʿ* or *ghusl* again and engage in performing the prayer without further delay.

Ruling 413. If the blood of a *mustahāḍah* is continuous and does not stop, in the event that it is not harmful for her, she must, based on obligatory precaution, prevent the blood from coming out before performing *ghusl*; and in the event that she is negligent in doing this, and blood comes out, and she has performed prayers, she must perform them again. And the recommended precaution is that she should perform *ghusl* again [before performing these prayers].

Ruling 414. If bleeding does not stop at the time of performing *ghusl*, the *ghusl* is valid. However, if while performing *ghusl*, medium *istiḥāḍah* becomes excessive, it is necessary to start the *ghusl* all over again.

Ruling 415. The recommended precaution is that during the entire day that a *mustahāḍah* is fasting, she should prevent the blood from coming out as much as she can.

Ruling 416. Based on the well-known (*mashhūr*) juristic opinion, the fast of a woman who has excessive *istiḥāḍah* is valid if she performs *ghusl* for *maghrib* and ‘*ishā*’ prayers the night before the day she wants to fast, and if she performs the *ghusls* that are obligatory for the prayers of the day. However, it is not farfetched to consider the validity of her fast as not being conditional on her performing *ghusl*, just as it is not conditional – based on a stronger opinion (*aqwā*)⁴¹ – for a woman who has medium *istiḥāḍah*.⁴²

Ruling 417. If a fasting woman becomes *mustahāḍah* after ‘*aṣr*’ prayers and she does not perform *ghusl* until *maghrib*, her fast is valid without any problem.

Ruling 418. If before prayers the slight *istiḥāḍah* of a woman becomes medium or excessive, she must do the things required of a woman with medium or excessive *istiḥāḍah*, which were mentioned earlier. If the medium *istiḥāḍah* of a woman becomes excessive, she must do the things required of a woman with excessive *istiḥāḍah*; and in the event that she has performed *ghusl* for medium *istiḥāḍah*, it is of no use and she must perform *ghusl* again for excessive *istiḥāḍah*.

Ruling 419. If during prayers the medium *istiḥāḍah* of a woman becomes excessive, she must break her prayer, perform *ghusl* for excessive *istiḥāḍah*, do the other things required of a woman with excessive *istiḥāḍah*, and then perform that prayer. And based on recommended precaution, she should perform *wuḍū’* before *ghusl*; and if she does not have time to perform *ghusl*, it is necessary for her to perform *tayammum* in place of *ghusl*; and if she does not have time to perform *tayammum* either, then based on recommended precaution, she should not break her prayer but instead complete it in the state that she is in; however, it is necessary for her to make it up after its prescribed time. Similarly, if during prayers the slight

⁴¹ For practical purposes, where an opinion is stated to be stronger, a fatwa is being given.

⁴² This rule is clearly stated in Ruling 1613.

istiḥāḍah of a woman becomes medium or excessive, she must break her prayer and do the things required of a woman with medium or excessive *istiḥāḍah*.

Ruling 420. If bleeding stops during prayers and a *mustahāḍah* does not know whether or not the bleeding has also stopped internally, or, if she does not know whether or not her *istiḥāḍah* will stop for long enough for her to obtain ritual purity (*ṭahārah*) [i.e. to perform *wuḍūʾ* or *ghusl*, according to her duty] and to perform all or part of the prayer, then based on obligatory precaution, she must perform *wuḍūʾ* or *ghusl* – according to her duty – and perform the prayer again.

Ruling 421. If the excessive *istiḥāḍah* of a woman becomes medium, she must do the things required of a woman with excessive *istiḥāḍah* for the first prayer; and for subsequent prayers, she must do the things required of a woman with medium *istiḥāḍah*. For example, if before *ẓuhr* prayers her excessive *istiḥāḍah* becomes medium, she must perform *ghusl* for *ẓuhr* prayers; and for ‘*aṣr*, *maghrib*, and ‘*ishāʾ* prayers, she must perform *wuḍūʾ* only. However, if she does not perform *ghusl* for *ẓuhr* prayers and she has time only to the extent of performing ‘*aṣr* prayers, she must perform *ghusl* for ‘*aṣr* prayers; and if she does not perform *ghusl* for ‘*aṣr* prayers either, she must perform *ghusl* for *maghrib* prayers; and if she does not perform *ghusl* for even those prayers and she has time only for ‘*ishāʾ* prayers, she must perform *ghusl* for ‘*ishāʾ* prayers.

Ruling 422. If before each prayer the bleeding of a woman with excessive *istiḥāḍah* stops and starts again, she must perform one *ghusl* for each prayer.

Ruling 423. If the excessive *istiḥāḍah* of a woman becomes slight, she must do the things required of a woman with excessive *istiḥāḍah* for the first prayer; and for subsequent prayers, she must do the things required of a woman with slight *istiḥāḍah*. Furthermore, if medium *istiḥāḍah* becomes slight, a *mustahāḍah* must do the things required of a woman with medium *istiḥāḍah* for the first prayer, if she has not done so already.

Ruling 424. If a *mustahāḍah* does not perform any of the acts that are

obligatory on her, her prayers are invalid.

Ruling 425. If a woman with slight or medium *istiḥāḍah* wants to perform an act – other than prayers – that is conditional on having *wuḍūʾ* – for example, she wants to touch the writing of the Qurʾān with a part of her body – in the event that this is after finishing prayers, she must, based on obligatory precaution, perform *wuḍūʾ*, and the *wuḍūʾ* that she had performed for prayers will not suffice.

Ruling 426. It is lawful for a *mustaḥāḍah* who has performed her obligatory *ghusls* to go to a mosque and stay in it, and to recite a verse with an obligatory *sajdah*,⁴³ and for her husband to have sexual intercourse with her, even if she has not done the other things that she would have done for prayers, such as changing the piece of cotton and the sanitary pad [or other absorbent item]. In fact, these acts are permitted even if she has not performed *ghusl*.

Ruling 427. If a woman with excessive or medium *istiḥāḍah* wants to recite a verse with an obligatory *sajdah* before the time for prayers, or, if she wants to go to a mosque, then based on recommended precaution, she should perform *ghusl*; and the same applies if her husband wants to have sexual intercourse with her.

Ruling 428. *Ṣalāt al-āyāt* is obligatory on a *mustaḥāḍah*. In order for a *mustaḥāḍah* to perform *ṣalāt al-āyāt*, she must do all the things that were mentioned with regard to performing the daily prayers.

Ruling 429. Whenever *ṣalāt al-āyāt* becomes obligatory on a *mustaḥāḍah* during the time of the daily prayers and she wants to perform both of them one after the other, then based on obligatory precaution, she cannot perform both of them with one *ghusl* and *wuḍūʾ* [and she would need to perform an additional *ghusl* or *wuḍūʾ*].

Ruling 430. If a *mustaḥāḍah* wants to make up *qaḍāʾ* prayers, then for each prayer she must do everything that is obligatory on her for performing prayers within their prescribed time (*adāʾ*); and based on obligatory precaution, for *qaḍāʾ* prayers, she cannot suffice with the

⁴³ These verses are mentioned in the fifth part of the list mentioned in Ruling 354.

things that she has done for *adā'* prayers.

Ruling 431. If a woman knows that the blood being discharged is not blood from an injury but she is uncertain whether it is the blood of *istiḥāḍah*, *ḥayḍ*, or *nifās*, in the event that the blood is not legally (*shar'an*) ruled as being that of *ḥayḍ* or *nifās*, she must act according to the instructions relating to *istiḥāḍah*. In fact, if she doubts whether it is blood of *istiḥāḍah* or another type of blood, in the event that it does not have the attributes of other types of blood, then based on obligatory precaution, she must consider the blood to be *istiḥāḍah*.

MENSTRUATION (*HAYD*)

Ḥayḍ is blood that is usually discharged from the uterus of women every month for a few days. A woman in menstruation is called a '*ḥā'id*'.

Ruling 432. Most of the time, the blood of *ḥayḍ* is thick and warm, and its colour is black or red, and it comes out with a little pressure and with a burning sensation.

Ruling 433. The bleeding that women above the age of sixty experience is not ruled as *ḥayḍ*; however, a woman can experience *ḥayḍ* between the age of fifty and sixty, although the recommended precaution is that women who are not Qurayshi (*sayyidah*)⁴⁴ and who experience bleeding which would previously have been ruled as *ḥayḍ* [i.e. had they experienced it before the age of fifty, it would have been ruled as *ḥayḍ*], should refrain from doing the things that are unlawful for a *ḥā'id* to do and perform the duties of a *mustahāḍah*.

Ruling 434. Bleeding that a girl experiences before the age of nine is not *ḥayḍ*.

Ruling 435. It is possible for a pregnant woman and for a woman who is breastfeeding to menstruate. The ruling of a pregnant woman and a non-pregnant woman is the same, except that if a pregnant woman

⁴⁴ A *sayyidah* is a female descendant of Hashim, the great grandfather of Prophet Muḥammad (S).

experiences bleeding with the attributes of *ḥayḍ* after the passing of twenty days from the first day of her habit, it is necessary for her, based on obligatory precaution, to do the things that a *mustahḍāḥ* must do and refrain from doing the things that are unlawful for a *ḥā'id* to do.

Ruling 436. If a girl who does not know whether or not she has completed nine years of age experiences bleeding that does not have the attributes of *ḥayḍ*, it is not *ḥayḍ*; and if it has the attributes of *ḥayḍ*, then considering it to be *ḥayḍ* is problematic [i.e. based on obligatory precaution, it must not be considered to be *ḥayḍ*], unless one is confident that it is *ḥayḍ*, in which case the girl will be considered to have reached the age of nine.

Ruling 437. If a woman who doubts whether or not she has reached the age of sixty experiences bleeding but does not know whether it is *ḥayḍ* or not, she must assume that she has not reached the age of sixty.

Ruling 438. *Ḥayḍ* cannot last for less than three days or for more than ten days; and if bleeding lasts for even a little less than three days, it is not *ḥayḍ*.

Ruling 439. The first three days of *ḥayḍ* must be continuous; therefore, if for example, a woman experiences bleeding for two days, and then the bleeding stops for one day, and then she experiences bleeding again for one day, it is not *ḥayḍ*.

Ruling 440. At the beginning of *ḥayḍ*, it is necessary for the blood to come out. However, it is not necessary for the blood to come out on all three days and it is sufficient if the blood remains inside the vagina. And in the event that during the three days a woman's bleeding stops for a short period of time in a manner that is common among all or some women, it is still counted as *ḥayḍ*.

Ruling 441. It is not necessary for a woman to experience bleeding on the eve of the first and fourth day. However, the bleeding must not stop on the eve of the second and third day. Therefore, if from the start of the morning of the first day the bleeding continues until sunset of the third day and does not stop at all, it is *ḥayḍ*. The same

applies if it starts during the first day and stops at the same time on the fourth day.

Ruling 442. If a woman experiences bleeding for three consecutive days and then her bleeding stops, in the event that she experiences bleeding again and the days on which she experiences bleeding plus the days on which her bleeding stops in-between altogether do not exceed ten, then the blood on all the days that she experienced bleeding is *ḥayḍ*. However, the obligatory precaution is that on the days that her bleeding stops in-between, she must do the things that are obligatory for a non-*ḥā'id* and refrain from doing the things that are unlawful for a *ḥā'id*.

Ruling 443. If a woman experiences bleeding for more than three and less than ten days, but she does not know whether the bleeding is from a boil, wound, or due to *ḥayḍ*, she must not consider it to be *ḥayḍ*.

Ruling 444. If a woman experiences bleeding but does not know whether it is from a wound or due to *ḥayḍ*, she must perform her ritual acts of worship (*'ibādāt*) [as normal], unless prior to this she was in the state of *ḥayḍ* [in which case she would consider it to be *ḥayḍ*].

Ruling 445. If a woman experiences bleeding and doubts whether it is *ḥayḍ* or *istihādah*, in the event that it has the conditions of *ḥayḍ*, it must be considered to be *ḥayḍ*.

Ruling 446. If a woman experiences bleeding and she does not know whether it is *ḥayḍ* or bleeding caused by her hymen breaking, she must examine herself; i.e. she must insert some cotton in the vagina, wait a while, and then take it out. If she finds that blood has stained only the sides of the cotton, it is bleeding caused by her hymen breaking, but if it has reached all parts of the cotton, it is *ḥayḍ*.

Ruling 447. If a woman experiences bleeding for less than three days, and then her bleeding stops, and after three days she experiences bleeding again, the second bleeding is *ḥayḍ* and the first bleeding – even if she experiences it during her habitual period – is not *ḥayḍ*.

LAWS OF A WOMAN IN MENSTRUATION (ḤĀ'ID)

Ruling 448. Certain things are unlawful for a ḥā'id:

1. to perform those ritual acts of worship that must be performed with *wuḍū'*, *ghusl*, or *tayammum* – such as prayers – if she does so with the intention of performing a valid act. However, there is no problem if she performs ritual acts of worship for which *wuḍū'*, *ghusl*, or *tayammum* is not necessary, such as *ṣalāt al-mayyit*;
2. all the things that are unlawful for a *junub*, as mentioned in the rules of *janābah*;
3. vaginal intercourse, which is unlawful for both the man and the woman even if the penis penetrates only to the point of circumcision and the man does not ejaculate. In fact, the obligatory precaution is that the penis must not penetrate even less than the point of circumcision. This law does not apply to anal intercourse; however, based on obligatory precaution, anal intercourse with a woman without her consent – whether she is ḥā'id or not – is not permitted.

Ruling 449. Sexual intercourse is unlawful on the days when even though *ḥayḍ* is not certain, the woman must still regard herself as being ḥā'id. Therefore, a husband cannot have intercourse with his wife on the days when she experiences bleeding for more than ten days and who must – according to the instructions that will be mentioned later – regard the days of her close relatives' habitual pattern as her *ḥayḍ* days.

Ruling 450. If a man has sexual intercourse with his wife while she is in the state of *ḥayḍ*, it is obligatory on him to seek forgiveness from Allah. However, giving recompense (*kaffārah*) is not obligatory on him, even though it is better that he gives *kaffārah*. The *kaffārah* for sexual intercourse at the beginning of *ḥayḍ* is one legal (*shar'ī*) *mithqāl*⁴⁵ of coined gold, at the middle of *ḥayḍ* it is half a legal *mithqāl*, and at the end of *ḥayḍ* it is one quarter of a legal *mithqāl*. A legal *mithqāl* is eighteen *nukhuds*.⁴⁶

⁴⁵ A legal *mithqāl* is a measure of weight equal to approximately 3.51 grams.

⁴⁶ A *nukhud* is a measure of weight equivalent to approximately 0.195 grams.

Ruling 451. Apart from having sexual intercourse with a *ḥā'id*, there is no problem in deriving other forms of sexual pleasure with her, such as kissing and foreplay.

Ruling 452. As it is mentioned in the laws relating to divorce, to divorce a woman who is in the state of *ḥayḍ* is invalid.

Ruling 453. If a woman says she is *ḥā'id* or that her *ḥayḍ* has stopped, in the event that she is not someone who is careless about religious matters such as purity and impurity, her word must be accepted. However, if she is someone who is careless about religious matters, then accepting her word is problematic [i.e. based on obligatory precaution, her word must not be accepted].

Ruling 454. If a woman becomes *ḥā'id* during prayers, her prayers are invalid; and based on obligatory precaution, this applies even if *ḥayḍ* occurs after the last *sajdah* and before the last word of the salutation (*salām*) of the prayer.

Ruling 455. If a woman doubts during prayers whether or not she has become *ḥā'id*, her prayers are valid. However, if after prayers she realises that she had actually become *ḥā'id* during prayers, then the prayers she performed are void, as mentioned in the previous ruling.

Ruling 456. After a woman's *ḥayḍ* has stopped, it is obligatory on her to perform *ghusl* for prayers and for other ritual acts of worship that must be performed with *wuḍū'*, *ghusl*, or *tayammum*. The *ghusl* for *ḥayḍ* is performed in the same way as the *ghusl* for *janābah*, and the *ghusl* for *ḥayḍ* suffices in place of *wuḍū'*, although it is recommended to also perform *wuḍū'* before performing *ghusl*.

Ruling 457. If a woman is divorced after her *ḥayḍ* has stopped, the divorce is valid even if she has not yet performed *ghusl*. Furthermore, [after her *ḥayḍ* has stopped but before she has performed *ghusl*] her husband can have sexual intercourse with her. However, the obligatory precaution is that intercourse must take place after washing the vagina; and the recommended precaution is that having sexual intercourse with her should be avoided before she has performed *ghusl*. However, other acts that were unlawful for the woman during

ḥayḍ on account of them being conditional on her being in a state of ritual purity – such as touching the writing of the Qurʾān – do not become lawful for her until she performs *ghusl*. Similarly, based on obligatory precaution, acts that have not been established as being unlawful for a *ḥāʾid* on account of them being conditional on her being in a state of ritual purity, such as staying in a mosque [also do not become lawful for her until she performs *ghusl*].

Ruling 458. If the available water is not sufficient for performing both *wuḍūʾ* and *ghusl* and it is sufficient for performing only *ghusl*, a woman must perform *ghusl*, and it is better that she performs *tayammum* in place of *wuḍūʾ*; and if the water is sufficient for performing only *wuḍūʾ* and not for performing *ghusl*, it is better that she performs *wuḍūʾ* with the water, and then she must perform *tayammum* in place of *ghusl*; and if she does not have sufficient water for performing *wuḍūʾ* or *ghusl*, she must perform *tayammum* in place of *ghusl*, and it is better that she performs another *tayammum* in place of *wuḍūʾ* as well.

Ruling 459. A woman does not have to make up those prayers that she did not perform while she was in the state of *ḥayḍ*; however, she does have to make up those fasts of the month of Ramadan that she did not keep while she was in the state of *ḥayḍ*. Similarly, based on obligatory precaution, she must make up any fasts that were obligatory on her at a particular time on account of a vow and which she did not keep while she was in the state of *ḥayḍ*.

Ruling 460. Whenever the time for prayers sets in and a woman knows that if she delays performing prayers she will become *ḥāʾid*, she must perform those prayers immediately. Similarly, based on obligatory precaution, she must perform prayers immediately even if she merely deems it probable that she will become *ḥāʾid* if she delays performing them.

Ruling 461. If a woman delays performing prayers and from the start of the time of prayers there elapses a length of time – equivalent to the time it takes to perform one prayer with all its prerequisites, including obtaining clean clothes and performing *wuḍūʾ* – and if she becomes *ḥāʾid* thereafter, it is obligatory on her to make up those prayers. In fact, if the time for prayers had set in and she could have

performed one prayer with *wuḍūʾ*, *ghusl*, or even *tayammum* but she did not, then she must, based on obligatory precaution, make up those prayers even if there was not sufficient time for all the other prerequisites. However, she must take into account her own situation in terms of performing prayers quickly or slowly and other things. For example, if a woman who is not a traveller [and therefore must perform the four unit (*rakʿah*) prayers in their complete (*tamām*) form] does not perform the *ẓuhr* prayer at the start of its prescribed time, it becomes obligatory on her to make it up only if before she became *ḥāʾid*, there was time equivalent to performing a four *rakʿah* prayer with *wuḍūʾ* or *tayammum* from the start of the time for *ẓuhr* prayers. However, for a traveller [who must perform the four *rakʿah* prayers in their shortened form] it is sufficient if there was time equivalent to obtaining ritual purity and performing a two *rakʿah* prayer.

Ruling 462. If at the end of the time for prayers a woman's *ḥayḍ* stops and she has time equivalent to performing *ghusl* and one *rakʿah* or more of the prayer, she must perform that prayer; and if she does not, she must make it up.

Ruling 463. If after her bleeding stops a *ḥāʾid* does not have time equivalent to performing *ghusl* but she can perform the prayer during its prescribed time by performing *tayammum*, the obligatory precaution is that she must perform the prayer with *tayammum*; and in case she does not perform the prayer, she must make it up. Furthermore, apart from shortage of time, if for some other reason her duty is to perform *tayammum* – for example, because water is harmful for her – then she must perform *tayammum* and the prayer; and in case she does not perform the prayer, it is necessary for her to make it up.

Ruling 464. If after her *ḥayḍ* has stopped a woman is unsure as to whether or not she has time to perform prayers, she must perform those prayers.

Ruling 465. If a woman does not perform prayers thinking that she does not have sufficient time to become ritually pure from an

occurrence (*ḥadath*)⁴⁷ and to perform one *rak'ah*, and afterwards she realises that actually she did have time, she must make up that prayer.

Ruling 466. It is recommended that at the time of prayers, a *ḥā'id* should clean herself of the blood, change the piece of cotton and the sanitary pad [or other absorbent item that a woman would normally use to absorb the discharge of blood], and perform *wuḍū'*; and if she cannot perform *wuḍū'*, she should perform *tayammum*; and it is also recommended for her to sit in the place of prayers facing qibla and to engage in remembering Allah (*dhikr*), reciting *du'ā's*, and invoking blessings upon Prophet Muḥammad (S) and his progeny (*ṣalawāt*).

Ruling 467. According to some jurists, it is disapproved for a *ḥā'id* to read the Qur'an, to keep the Qur'an with herself, to touch in-between the writing of the Qur'an, and to dye her hair with henna or something similar.

CATEGORIES OF WOMEN IN MENSTRUATION

Ruling 468. There are six categories of women in menstruation:

1. a woman with a habit of time and duration: this is a woman who on two consecutive months starts her period at a fixed time, and the number of days on which she has her period is the same in each of the two months. For example, in two consecutive months, she experiences bleeding from the first of the month until the seventh;
2. a woman with a habit of time: this is a woman who on two consecutive months starts her period at a fixed time, but the number of days on which she has her period is not the same in each of the two months. For example, in two consecutive months, she experiences bleeding on the first of the month, but in the first month her bleeding stops on the seventh day and in the second month it stops on the eighth day;
3. a woman with a habit of duration: this is a woman who has her period for the same number of days on two consecutive

⁴⁷ See the footnote pertaining to Ruling 384 for an explanation of this term.

- months, but the time when her bleeding starts in each of the two months is not the same. For example, in the first month she experiences bleeding from the fifth to the tenth of the month and in the second month from the twelfth to the seventeenth;
4. a woman with a disordered habit (*muḍṭaribah*): this is a woman who, for several months, experiences a period but does not have a fixed habit with regard to this [neither of time nor of duration], or her habit has been disturbed and she has not yet formed a new habit;
 5. a menarcheal woman (*mubtadi'ah*): this is a woman who experiences bleeding for the first time;
 6. a forgetful woman (*nāsiyah*): this is a woman who has forgotten the habit of her period.

Specific rules apply to each of these categories, which will be discussed in the following rulings.

1. A woman with a habit of time and duration

Ruling 469. Women who have a habit of time and duration are of two types:

1. a woman who on two consecutive months has her period at a fixed time, and her period also stops at a fixed time. For example, on two consecutive months, she experiences bleeding on the first day of the month and it stops on the seventh. Therefore, her habit of *ḥayḍ* is from the first of the month to the seventh;
2. a woman who on two consecutive months has her period at a fixed time, and after she experiences bleeding for three or more days, it stops for one or more days, and then she experiences bleeding again; and the total number of days on which she experiences bleeding plus the days on which it stops in-between do not exceed ten; and in both months, all the days on which she experiences bleeding and all the days on which it stops in-between are the same. In such a case, her habit is the number of days on which she experienced bleeding, without the addition of the number of days on which it stopped. Therefore, it is necessary that the days on which she experiences bleeding and the number of days on which it

stops in-between in both months are the same. For example, if in both months she experiences bleeding from the first day to the third, and then it stops for three days, and then she experiences bleeding for another three days, her habit is six separated days. Furthermore, for the three days in-between on which her period stops, she must, based on obligatory precaution, refrain from doing the things that are unlawful for a *ḥā'id*, and do the things required of a *mustahādah*; and in the event that the days on which she experiences bleeding in the second month are more or less than in the first month, she has a habit of time and not of duration.

Ruling 470. If a woman with a habit of time – irrespective of whether she also has a habit of duration or not – experiences bleeding during the time of her habit, or on one or more days earlier than the time of her habit such that it can be said that her habit has moved forward, then even if the bleeding does not have the attributes of *ḥayḍ*, she must act according to the rules that were mentioned for a *ḥā'id*. In the event that afterwards, she realises that it was not *ḥayḍ* – for example, her bleeding stops in less than three days – she must make up the ritual acts of worship that she did not perform [when she considered her bleeding to be *ḥayḍ*].

Ruling 471. If a woman with a habit of time and duration experiences bleeding on all the days of her habit and on a few days before and after her habit, and if the total number of days do not exceed ten, then the bleeding on all of those days is considered to be *ḥayḍ*; and if the number of days exceed ten, then only the bleeding during her habit is *ḥayḍ* and the bleeding before and after that is *istihādah*, and she must make up the ritual acts of worship that she did not perform before and after her habit.

If a woman experiences bleeding on all the days of her habit and on a few days before her habit, and if the total number of days do not exceed ten, then the bleeding on all of those days is considered to be *ḥayḍ*; and if it exceeds ten days, then only the bleeding on the days of her habit is considered to be *ḥayḍ* – even if the bleeding does not have the attributes of *ḥayḍ* and the days before her habit had the attributes of *ḥayḍ* – and the bleeding before her habit is considered to be *istihādah*; and in the event that on those days she did not perform

ritual acts of worship, she must make them up.

If a woman experiences bleeding on all the days of her habit and on a few days after her habit, and if the total number of days do not exceed ten, then the bleeding on all of those days is considered to be *ḥayḍ*; and if the total is more than ten days, then only the bleeding on the days of her habit is considered to be *ḥayḍ* and the rest is considered to be *istiḥāḍah*.

Ruling 472. If a woman with a habit of time and duration experiences bleeding on some of the days of her habit and on a few days before her habit, and if the total number of days do not exceed ten, then the bleeding on all those days is considered to be *ḥayḍ*; and if the bleeding exceeds ten days, then the bleeding on the days of her habit plus the few days before that – which total the number of days of her habit – is *ḥayḍ*, and the bleeding on the first few days is considered to be *istiḥāḍah*. And if she experiences bleeding on some days of her habit and on a few days after her habit, and the total number of days do not exceed ten, then the bleeding on all the days is *ḥayḍ*; and if it exceeds ten days, then the bleeding on the days of her habit plus a few days after that – which total the number of days of her habit – is *ḥayḍ*, and the bleeding on the remaining days is considered to be *istiḥāḍah*.

Ruling 473. If a woman with a habit experiences bleeding for three or more days and after that her bleeding stops, and if she then experiences bleeding again and the gap between the two bleedings is less than ten days, and if all the days on which she experiences bleeding plus the days on which her bleeding stops total more than ten – for example, she experiences bleeding for five days, then her bleeding stops for five days, and then she experiences bleeding again for five days – in such a case, there are a few scenarios to consider:

1. all or some of the woman's first bleeding was on the days of her habit and her second bleeding was not on the days of her habit; in this case, she must consider all of her first bleeding to be *ḥayḍ* and her second bleeding to be *istiḥāḍah*. However, if her second bleeding has the attributes of *ḥayḍ*, she must add together the number of days of her first bleeding and the number of days on which her bleeding stopped after her first bleeding; then, to that figure she must add a number of days

- from her second bleeding such that the total number of days do not exceed ten. Having done this, she must consider her first bleeding and the bleeding on the days she added from her second bleeding to be *ḥayḍ* and the rest to be *istiḥāḍah*. For example, if she experiences bleeding for three days, then her bleeding stops for three days, and then she experiences bleeding again for five days and her second bleeding has the attributes of *ḥayḍ*, the first three days plus four days from her second bleeding is *ḥayḍ*; and for the days in-between when her bleeding stops, she must, based on obligatory precaution, perform the obligatory acts that are required of a non-*ḥā'id* and refrain from doing the things that are unlawful for a *ḥā'id*;
2. the woman's first bleeding is not on the days of her habit, and all or some of her second bleeding is on the days of her habit. In this case, she must consider all of her second bleeding to be *ḥayḍ* and her first bleeding to be *istiḥāḍah*;
 3. some of the woman's first and second bleeding is on the days of her habit, and her first bleeding that was on the days of her habit lasts for not less than three days, and the number of days on which her bleeding stops in-between and some of the days of her second bleeding that was also on the days of her habit does not exceed ten; in this case, both bleedings are *ḥayḍ*; and the obligatory precaution is that on the days that her bleeding stops in-between, she must do the things that are obligatory on a non-*ḥā'id* and refrain from doing the things that are unlawful for a *ḥā'id*; and the days of the second bleeding after the days of her habit are considered to be *istiḥāḍah*. As for the amount of the first bleeding that she experiences before the days of her habit, in the event that it can commonly be said that her habit has moved forward, it is ruled as *ḥayḍ*, except if considering it as *ḥayḍ* results in some or all the days of her second bleeding that was also on the days of her habit to exceed ten days, in which case it is ruled as *istiḥāḍah*. For example, if a woman's habit is from the third of the month to the tenth, and she experiences bleeding from the first to the sixth in one month, and then her bleeding stops on two days, and then she experiences bleeding again until the fifteenth, then the bleeding that she experiences from the first to the tenth is *ḥayḍ*, and the bleeding that she experiences from the eleventh to the

fifteenth is *istiḥādah*;

4. the woman experiences some of her first and second bleeding on the days of her habit, but the part of her first bleeding that she experiences on the days of her habit is less than three days; in this case, she must consider the last three days of her first bleeding to be *ḥayḍ*, and similarly, her second bleeding – which together with the first three days and the days on which her bleeding stops in-between total ten days – must also be considered to be *ḥayḍ*, and whatever is more than that is *istiḥādah*. If the number of days on which her bleeding stops is seven, all of her second bleeding is *istiḥādah*. In some cases, she must consider all of her first bleeding to be *ḥayḍ*, and this is when two conditions are fulfilled:
 - a. all of her first bleeding has moved ahead to such an extent that her habit can be said to have moved forward;
 - b. if all of her first bleeding were to be considered *ḥayḍ*, the number of days of her second bleeding that she experienced on the days of her habit would not exceed ten. For example, if the habit of a woman was from the third of the month to the tenth, and she now experiences bleeding from the first of the month until the end of the fourth day, then her bleeding stops for two days, and then she experiences bleeding again until the fifteenth, in such a case, all of her first bleeding is *ḥayḍ*; and similarly, the second bleeding until the end of the tenth day is *ḥayḍ*.

Ruling 474. If a woman with a habit of time and duration does not experience bleeding on the days of her habit, and at another time she experiences bleeding for the same number of days as her *ḥayḍ*, she must consider it to be *ḥayḍ*, irrespective of whether she experienced it before the time of her habit or after it.

Ruling 475. If a woman with a habit of time and duration experiences bleeding on the days of her habit for three days or more, and the number of days are more or less than the days of her habit, and if after her bleeding stops she experiences bleeding again on the same number of days as her habit, there are a few scenarios to consider:

1. the total number of days of the two bleedings plus the number

of days when her bleeding stops in-between does not exceed ten. In this case, the two bleedings together are considered to be one *ḥayḍ*;

2. the number of days that her bleeding stops in-between the two bleedings exceeds ten. In this case, each of the two bleedings is considered to be a separate *ḥayḍ*;
3. the number of days that her bleeding stops in-between the two bleedings is less than ten, and the total of the two bleedings plus the days on which her bleeding stops in-between is more than ten. In this case, the first bleeding must be considered to be *ḥayḍ* and the second bleeding *istiḥāḍah*.

Ruling 476. If a woman with a habit of time and duration experiences bleeding for more than ten days, the bleeding that she experiences on the days of her habit – even if it does not have the attributes of *ḥayḍ* – is *ḥayḍ*; and the bleeding that she experiences after the days of her habit – even if it has the attributes of *ḥayḍ* – is *istiḥāḍah*. For example, if a woman whose habit is from the first of the month to the seventh experiences bleeding from the first of the month to the twelfth, the first seven days are *ḥayḍ*, and the next five days are *istiḥāḍah*.

2. A woman with a habit of time

Ruling 477. Women who have a habit of time and whose habit has a fixed start date are of two types:

1. a woman who on two consecutive months has her period at a fixed time and whose period stops after a few days, but the number of days in each month is not the same. For example, on two consecutive months she experiences bleeding on the first of the month but in the first month the bleeding stops on the seventh, and in the second month the bleeding stops on the eighth. This woman must consider the first of the month to be the first day of her habit of *ḥayḍ*;
2. a woman who on two consecutive months has her period at a fixed time for three or more days, then her period stops, and then she experiences bleeding again, and all the days on which she experiences bleeding plus the days in-between on which her bleeding stops do not exceed ten; but in the second month,

this figure is more or less than the first month. For example, in the first month it is eight days and in the second month nine days, but in both months she experiences bleeding from the first of the month. Such a woman must also consider the first of the month to be the first day of her habit of *ḥayḍ*.

Ruling 478. If a woman with a habit of time experiences bleeding on the days of her habit, or on two or three days before her habit, she must act according to the rules mentioned for a *ḥā'id* as per the details in Ruling 470. In cases other than these two – for example, when a woman experiences bleeding so much in advance of her habit that it could not be said her habit has moved forward, rather, it would be said that she has experienced bleeding outside the days of her habit, or she experiences bleeding after the days of her habit – then, in the event that the bleeding has the attributes of *ḥayḍ*, she must act according to the rules mentioned for a *ḥā'id*. Similarly, if it does not have the attributes of *ḥayḍ* but she knows that the bleeding will continue for three days [she must act according to the rules mentioned for a *ḥā'id*]. However, if she does not know whether or not it will continue for three days, the obligatory precaution is that she must do the things that are obligatory on a *mustahḍah* and refrain from doing the things that are unlawful for a *ḥā'id*.

Ruling 479. If a woman with a habit of time experiences bleeding on the days of her habit and the number of days that her bleeding lasts for is more than ten, and if on some of the days her bleeding has the attributes of *ḥayḍ* and on some other days it does not, and if the number of days that her bleeding has the attributes of *ḥayḍ* is not less than three nor more than ten, in such a case, she must consider her bleeding on those days when it has the attributes of *ḥayḍ* to be *ḥayḍ* and the rest to be *istiḥḍah*. If this type of bleeding is repeated – for example, four days with the attributes of *ḥayḍ*, followed by four days with the attributes of *istiḥḍah*, and then followed by four days with the attributes of *ḥayḍ* again – she must consider only the first four days to be *ḥayḍ* and all the rest to be *istiḥḍah*; and if the bleeding with the attributes of *ḥayḍ* lasts for less than three days, she must consider it to be *ḥayḍ* and determine the number of days of it in one of two ways: either by referring to her close relatives, or by selecting the number of days; and if it is more than ten days, she must consider

part of it to be *ḥayḍ* by one of these two ways. And if a woman cannot distinguish the amount of *ḥayḍ* by means of its attributes – i.e. she finds that all the blood has the same attributes, or the blood that has the attributes of *ḥayḍ* lasts for more than ten days or less than three days – then she must consider it to be *ḥayḍ* according to the number of days of the habit of some of her close relatives, whether they be her paternal or maternal relatives, alive or dead; however, in this case, two conditions must be fulfilled:

1. the woman does not know that her close relative's habit is different to the duration of her *ḥayḍ*. For example, she is youthful and healthy and the other woman is approaching the age of menopause, when usually the duration of a woman's habit is shorter; and similarly, if the situation is the other way round or the woman has an incomplete habit, the meaning and rules of which will be mentioned in Ruling 488.
2. the woman does not know that the habit of the other woman differs from the habit of her other close relatives who meet the first condition. However, there is no problem if the difference is very little such that it cannot really be counted. The same rule applies to a woman who has a habit of time and does not experience bleeding at all on the days of her habit but experiences bleeding at other times which lasts for more than ten days, and she cannot distinguish the duration of *ḥayḍ* by means of its attributes.

Ruling 480. A woman with a habit of time cannot consider her bleeding to be *ḥayḍ* at times other than the time of her habit. Therefore, if the start of her habit is known – for example, she used to experience bleeding every month from the first of the month, and sometimes her bleeding would stop on the fifth day and at other times on the sixth – in the event that in one month she experiences bleeding for twelve days and she cannot determine her duration by means of the attributes of *ḥayḍ*, she must consider the first of the month to be the beginning of *ḥayḍ*; and for the duration, she must refer to what was said in the previous ruling; and if the middle or end of her habit is known, in the event that her bleeding exceeds ten days, she must consider the duration to be such that the end or middle of it is in accordance with the time of her habit.

Ruling 481. A woman with a habit of time who experiences bleeding for more than ten days and cannot determine it according to what was said in Ruling 479 can choose any number of days from three to ten that she feels is appropriate for the duration of her *ḥayḍ*; and it is better that she considers it to be seven days, if she feels it appropriate for herself. Of course, the number of days that she considers to be *ḥayḍ* must be in accordance with the time of her habit, as mentioned in the previous ruling.

3. A woman with a habit of duration

[Women with a habit of duration are of two types:]

1. a woman whose duration of *ḥayḍ* is the same on two consecutive months but the time of her bleeding is not the same in each. In this case, her habit is considered to be however many days she experiences bleeding. For example, if in the first month she experiences bleeding from the first of the month to the fifth, and in the second month from the eleventh to the fifteenth, her habit will be five days.
2. a woman who on two consecutive months experiences bleeding for three days or more, then her period stops for one or more days, and then she experiences bleeding again, and the time of bleeding in the first month differs from that of the second, such that all the days on which she experiences bleeding plus all the days on which her period stops in-between do not exceed ten, and the number of days on which she experiences bleeding are the same; in this case, all the days on which she experiences bleeding is her habit of *ḥayḍ*, and on the days that her bleeding stops, she must, as a precautionary measure, do the things that are obligatory on a non-*ḥā'id* and refrain from doing the things that are unlawful for a *ḥā'id*. For example, if in the first month she experiences bleeding from the first to the third of the month, then her bleeding stops for two days, and then she experiences bleeding again for three days, and in the second month she experiences bleeding from the eleventh to the thirteenth, then her bleeding stops for two days, and then she experiences bleeding for three days, in such a case, her habit will be six days. However, if in one month, for example,

she experiences bleeding for eight days and in the second month for four days, then her bleeding stops, and then she experiences bleeding again, and the total number of the days on which she experiences bleeding plus the days on which her bleeding stops in-between is eight, in this case, the woman does not have a habit of duration; rather, she is considered to be a *muḍṭaribah* (i.e. a woman with a disordered duration), the ruling for which will come later.

Ruling 482. If a woman with a habit of duration experiences bleeding for more or less than the number of days of her habit and it does not exceed ten days, she must consider it all to be *ḥayḍ*; and if it exceeds ten days, in the event that all the blood is similar, the days from the start of bleeding until the number of days of her habit is considered to be *ḥayḍ*, and the rest is considered to be *istiḥāḍah*; and if all the bleeding is not the same, rather, on some days it has the attributes of *ḥayḍ* and on others the attributes of *istiḥāḍah*, and if the number of days on which it has the attributes of *ḥayḍ* are the same as the number of days of her habit, she must consider those days to be *ḥayḍ* and the rest *istiḥāḍah*; and if the days on which the bleeding has the attributes of *ḥayḍ* are more than the days of her habit, then only the same number of days as her habit is *ḥayḍ*, and the rest is *istiḥāḍah*; and if the days on which the bleeding has the attributes of *ḥayḍ* are less than the days of her habit, she must consider those days with a few more days that together total the duration of her habit to be *ḥayḍ* and the rest *istiḥāḍah*.

4. A woman with a disordered habit (*muḍṭaribah*)

Ruling 483. A *muḍṭaribah* is a woman who experiences bleeding on two consecutive months, but there is a difference in the time and duration of her bleeding. If a *muḍṭaribah* experiences bleeding for more than ten days and all the blood is the same – i.e. all of it either has the attributes of *ḥayḍ* or the attributes of *istiḥāḍah* – then based on obligatory precaution, the rules that apply to her are the same as those that apply to a woman with a habit of time who experiences bleeding at a time other than that of her habit, and who cannot distinguish *ḥayḍ* from *istiḥāḍah* by the attributes of the bleeding and so must consider the habit of some of her close relatives to be her habit

of *ḥayḍ*; and in case this is not possible, she must choose a number of days between three and ten and consider that to be her *ḥayḍ*, as per the explanation mentioned in Rulings 479 and 481.

Ruling 484. If a *muḍṭaribah* experiences bleeding for more than ten days, and the blood on some of those days has the attributes of *ḥayḍ* and on other days the attributes of *istiḥāḍah*, she must act according to the instructions mentioned at the beginning of Ruling 479.

5. A menarcheal woman (*mubtadi'ah*)

Ruling 485. A *mubtadi'ah* is a woman who experiences bleeding for the first time. If a woman experiences bleeding for more than ten days and all the blood is the same, she must consider the duration of the habit of one of her close relatives to be the number of days of her *ḥayḍ* and the rest to be *istiḥāḍah*, provided that she fulfils the two conditions mentioned in Ruling 479; and if this is not possible, she must choose a number of days between three and ten and consider that to be the duration of her *ḥayḍ*, according to the instructions explained in Ruling 481.

Ruling 486. If a *mubtadi'ah* experiences bleeding for more than ten days, and on some of the days the bleeding has the attributes of *ḥayḍ* and on others the attributes of *istiḥāḍah*, in the event that the bleeding with the attributes of *ḥayḍ* does not last for less than three days or more than ten, it is all *ḥayḍ*. However, if she experiences bleeding again before the passing of ten days from the time she experienced bleeding with the attributes of *ḥayḍ*, and this bleeding also has the attributes of *ḥayḍ* – for example, the bleeding is black for five days, yellow for nine days, and then it is black again for five days – in this case, she must consider the first bleeding to be *ḥayḍ* and the other two bleedings to be *istiḥāḍah*, as is the case with a *muḍṭaribah*.

Ruling 487. If a *mubtadi'ah* experiences bleeding for more than ten days, and on some of the days the bleeding has the attributes of *ḥayḍ* and on others the attributes of *istiḥāḍah*, but the bleeding that has the attributes of *ḥayḍ* lasts for less than three days or more than ten, in this case, she must act according to the instructions mentioned in Ruling 479.

6. A forgetful woman (*nāsiyah*)

Ruling 488. A *nāsiyah* is a woman who has forgotten the duration and/or time of her habit. If such a woman experiences bleeding for three days or more but less than ten, then all of it is *ḥayḍ*. However, if her bleeding lasts for more than ten days, then there are some scenarios to consider:

1. the woman had a habit of time or duration or both, but she has completely forgotten it, such that she cannot remember its time or duration, even in general. For this type of woman, the rules of a *mubtadi'ah* that were mentioned earlier apply;
2. the woman had a habit of time and may or may not also have had a habit of duration, and she remembers something in general about the time of her habit. For example, she knows that a particular day is part of her habit, or that her habit is in the first half of the month. For this type of woman, the rules of a *mubtadi'ah* apply as well; however, she must not consider *ḥayḍ* to be at a time that is definitely contrary to her habit. For example, if she knows that the seventeenth day of the month is part of her habit or that her habit is in the second half of the month, and if she experiences bleeding from the first to the twentieth of the month, then she cannot consider her habit to be in the first ten days of the month even if it has the attributes of *ḥayḍ* and the bleeding in the second ten days has the attributes of *istiḥāḍah*;
3. the woman had a habit of duration but she has forgotten the duration of her habit. For this type of woman, the rules of a *mubtadi'ah* also apply; however, she must not knowingly underestimate the duration of her *ḥayḍ* [for example, if she knows that the number of days of her habit is at least seven days, she cannot consider her *ḥayḍ* to be less than seven days]. Similarly, she cannot knowingly overestimate the duration of her *ḥayḍ* to be more than her habit.

A similar rule must be observed by a woman with an incomplete habit of duration, i.e. a woman whose habit of duration fluctuates between two figures that are more than three days and less than ten. For example, a woman who experiences bleeding for either six

or seven days every month cannot consider her *ḥayḍ* to be less than six days or more than seven days by means of the attributes of *ḥayḍ*, or by the habit of her close relatives, or by choosing a number in case she experiences bleeding for more than ten days.

MISCELLANEOUS RULINGS ON *ḤAYḌ*

Ruling 489. If a *mubtadi'ah*, *muḍṭaribah*, *nāsiyah*, or a woman with a habit of duration experiences bleeding and the blood has the attributes of *ḥayḍ*, or, if she is certain that her bleeding will last for three days, she must refrain from engaging in ritual acts of worship; and in the event that she realises afterwards that it was not *ḥayḍ*, she must make up the ritual acts of worship that she did not perform.

Ruling 490. If on two consecutive months a woman with a habit of *ḥayḍ* – whether it be a habit of time, duration, or both – experiences bleeding that is contrary to her habit and her bleeding in both months is the same in terms of its time, duration, or both, her habit will change to what she has observed in these two months. For example, if she used to experience bleeding from the first day of the month to the seventh and then her bleeding would stop, in the event that in two consecutive months she experiences bleeding from the tenth to the seventeenth of the month and then her bleeding stops, her habit will change and be from the tenth to the seventeenth.

Ruling 491. The meaning of ‘one month’ – except with regard to determining the habit of time – is the passing of thirty days from the start of bleeding and not from the first day of the month to the last; and with regard to determining the habit of time, the lunar month is intended, not the solar.

Ruling 492. If a woman who usually experiences bleeding once a month experiences bleeding twice in one month, in the event that the number of days on which her bleeding stops in-between is not less than ten, she must consider both bleedings to be *ḥayḍ* even if one of them does not have the attributes of *ḥayḍ*.

Ruling 493. With regard to a woman who must distinguish *ḥayḍ* by

means of differences observed in the attributes of her bleeding, if she experiences bleeding for three or more days and it has the attributes of *ḥayḍ*, and if afterwards she experiences bleeding for ten days or more and it has the attributes of *istiḥāḍah*, and if she then experiences bleeding again for three days and this has the attributes of *ḥayḍ*, then she must consider the first and last bleeding – which had the attributes of *ḥayḍ* – to be *ḥayḍ*. However, if she experiences one of the two bleedings during her habit and it is not known whether the ten days in-between are all *istiḥāḍah* or partly *ḥayḍ*, then the bleeding that she experiences during her habit is *ḥayḍ* and the rest is *istiḥāḍah*.

Ruling 494. If a woman's bleeding stops before ten days and she knows that there is no blood inside, she must perform *ghusl* for her ritual acts of worship even if she supposes that she will experience bleeding again before the completion of ten days; and if she is certain that she will experience bleeding again before the completion of ten days, she must, as stated previously, perform *ghusl* as a precautionary measure, perform her ritual acts of worship, and refrain from doing the things that are unlawful for a *ḥā'id*.

Ruling 495. If a woman's bleeding stops before ten days and she deems it probable that there is blood inside, she must either perform ritual acts of worship as a precautionary measure or perform *istibrā'*; and it is not permitted for her to refrain from worshipping without performing *istibrā'*. *Istibrā'* here means she must insert some cotton inside the vagina and wait for a short while – and if her habit is such that her bleeding stops for a short while in the middle of *ḥayḍ*, as it has been said of some women, she must wait for a longer time – then, she must bring the cotton out; if it is clean, she must perform *ghusl* and perform her ritual acts of worship; if it is not clean – even if it is stained with a yellow-coloured liquid – in the event that she does not have a habit of *ḥayḍ*, or her habit is ten days, or the days of her habit have not yet finished, then she must wait; and if her bleeding stops before ten days, she must perform *ghusl*; and if her bleeding stops on the tenth day or her bleeding lasts for more than ten days, she must perform *ghusl* on the tenth day; and if her habit is less than ten days, then in case she knows that her bleeding will stop before the completion of ten days or on the tenth day, she must not perform *ghusl*.

Ruling 496. If a woman considers her bleeding on some days to be *ḥayḍ* and does not perform ritual acts of worship, and afterwards she realises that it was not *ḥayḍ*, she must make up the prayers and fasts that she missed on those days; and if she worships on some days supposing that her bleeding on those days is not *ḥayḍ*, and afterwards she realises that it was *ḥayḍ*, in the event that she had also kept obligatory fasts on those days, she must make them up.

LOCHIA (*NIFĀS*)

Ruling 497. From the time that the first part of a baby's body comes out of its mother's womb, the bleeding that a woman experiences for ten days is the bleeding of *nifās*, on condition that it can be called 'the bleeding of childbirth'. A woman in the state of *nifās* is called a '*nufasā*'.

Ruling 498. Blood that is discharged before the first part of a baby's body comes out is not *nifās*.

Ruling 499. It is not necessary for the baby to be fully developed; even if it is born under-developed, as long as its development has passed the stage of an '*alaqah*, which is a clot of blood, and a *mudghah*, which is a lump of flesh [embryo], and it is miscarried, then the bleeding of the woman for ten days is considered to be *nifās*.

Ruling 500. It is possible that the blood of *nifās* lasts no longer than a moment; however, it is not considered to be *nifās* if the blood continues for more than ten days.

Ruling 501. Whenever a person doubts whether or not something is miscarried or whether the thing that is miscarried is a child or not, it is not necessary to investigate; and the blood that comes out is not legally ruled as being *nifās*.

Ruling 502. The things that are obligatory on a *ḥā'id* are also obligatory on a *nufasā*; and based on obligatory precaution, the following are unlawful for a *nufasā*: entering a mosque (however, merely passing through a mosque is permitted), staying in a mosque, passing

through the 'Two Mosques' (i.e. Masjid al-Ḥarām and the Mosque of the Prophet (ﷺ)), reciting the verses that have obligatory *sajdah*,⁴⁸ and touching the writing of the Qur'an and the name of Allah.

Ruling 503. Divorcing a woman who is in the state of *nifās* and having sexual intercourse with her is unlawful, but it does not require one to give *kaffārah*.

Ruling 504. If the bleeding of a woman who does not have a habit of duration of *ḥayḍ* does not exceed ten days after giving birth, then all of it is considered to be *nifās*. Therefore, if her bleeding stops before ten days, she must perform *ghusl* and ritual acts of worship; and if after that she experiences bleeding on one or more occasions, in the event that the total number of days on which she experiences bleeding plus the days on which her bleeding stops in-between is ten or less, then all the blood is considered to be *nifās*; and on the days that her bleeding stops, she must, as a precautionary measure, perform ritual acts of worship and refrain from doing the things that are unlawful for a *nufasā'*. Therefore, in the event that she had kept any obligatory fasts, she must make them up. Furthermore, if the last bleeding continues for more than ten days, she must consider the first ten days to be *nifās* and the bleeding after ten days to be *istihādah*.

Ruling 505. If the bleeding of a woman with a habit of duration of *ḥayḍ* exceeds the number of days of her habit after giving birth – even if the bleeding does not exceed ten days – then based on obligatory precaution, in the days after the number of days of her habit, she must refrain from doing the things that are unlawful for a *nufasā'* and she must perform the things that are obligatory on a *mustahādah*; and if she experiences bleeding on more than one occasion and her bleeding stops in-between, she must consider the number of days of her habit to be *nifās*; and as a precautionary measure, on the days that her bleeding stops in-between and on the days that are more than her habit, she must refrain from doing the things that are unlawful for a *nufasā'* and she must perform the obligatory acts.

Ruling 506. If a woman's *nifās* stops and she deems it probable that

⁴⁸ These verses are mentioned in the fifth part of the list mentioned in Ruling 354.

there is blood inside, she must either perform *ghusl* as a precautionary measure and ritual acts of worship, or she must perform *istibrāʾ*; and it is not permitted for her to refrain from performing ritual acts of worship without performing *istibrāʾ*. The method of performing *istibrāʾ* was mentioned in Ruling 495.

Ruling 507. If a woman's *nifās* exceeds ten days, in the event that she has a habit of duration for *ḥayḍ*, the same number of days of her habit is *nifās* and the rest is *istiḥāḍah*; and if she does not have a habit, it is *nifās* for the duration of ten days and the rest is *istiḥāḍah*; and if she has forgotten her habit, she must consider her habit to be the highest number of days that she deems probable. Furthermore, the recommended precaution is that a woman with a habit should perform the things required for a *mustahāḍah* and refrain from doing the things that are unlawful for a *nufasāʾ*, starting from the day after her habit; and a woman who does not have a habit should do this after the tenth day until the eighteenth day after childbirth.

Ruling 508. If a woman with a habit of duration for *ḥayḍ* continuously experiences bleeding for one or more months after giving birth, the same number of days of her habit is *nifās* and the bleeding for ten days after *nifās* is *istiḥāḍah*, even if she has a habit of time and the bleeding is experienced on the days of her habit. For example, if a woman whose habit of *ḥayḍ* is from the twentieth to the twenty-seventh of every month gives birth on the tenth, and she continuously experiences bleeding for one or more months, the bleeding until the seventeenth day is *nifās*, and the bleeding for ten days from the seventeenth is *istiḥāḍah*, even if she experiences bleeding on the days of her habit, i.e. from the twentieth to the twenty-seventh; and after the passing of ten days, if she has a habit of time and does not experience bleeding on the days of her habit, she must wait for the days of her habit, even if her waiting lasts for one or more months, and even if the bleeding during this period has the attributes of *ḥayḍ*. However, if she does not have a habit of time, she must determine her *ḥayḍ* by its attributes in the event that this is possible (the method for doing this was mentioned in Ruling 479). If this is not possible – for example, all the bleeding after ten days of *nifās* is the same, and it continues with the same attributes for one or more months – then in every month, she must consider the *ḥayḍ* of her close relatives to be her *ḥayḍ*, as

per the details mentioned in Ruling 479. If this is not possible either, she must choose a figure that she considers appropriate for herself, the explanation of which was given in Ruling 481.

Ruling 509. If a woman who does not have a habit of duration for *ḥayḍ* experiences bleeding for one or more months after giving birth, the bleeding on the first ten days is *nifās*, and the bleeding on the second ten days is *istiḥāḍah*. As for the bleeding after that, it is possible that it could be *ḥayḍ* or *istiḥāḍah*; in order to determine whether it is *ḥayḍ* or not, she must act according to the instructions mentioned in the previous ruling.

THE GHUSL FOR TOUCHING A CORPSE (MASS AL-MAYYIT)

Ruling 510. If someone touches – i.e. makes part of his body come into contact with – the body of a dead person after it has become cold but before it has been given *ghusl*, he must perform the *ghusl* for touching a corpse, irrespective of whether he touches it while he is asleep or awake, voluntarily or involuntarily. Even if one's nail or bone touches a nail or bone of the corpse, he must perform this *ghusl*. However, if one touches a dead animal, then performing *ghusl* is not obligatory on him.

Ruling 511. Performing this *ghusl* is not obligatory for touching a deceased person whose entire body has not yet become cold, even if one touches a part that has become cold.

Ruling 512. If a person makes his hair touch a corpse, or if he makes his body touch the hair of a corpse, or if he makes his hair touch the hair of a corpse, then performing this *ghusl* is not obligatory on him.

Ruling 513. If a child is stillborn, then based on obligatory precaution, its mother must perform this *ghusl*; and if the mother dies, then based on obligatory precaution, the child must perform this *ghusl* before reaching the age of legal responsibility.

Ruling 514. If a person touches a corpse that has been given the three *ghusls*⁴⁹ completely, then performing this *ghusl* does not become obligatory on him. However, if one touches part of a corpse before the completion of the third *ghusl*, then even if that particular part of the corpse has been given the third *ghusl*, he must perform the *ghusl* for touching a corpse.

Ruling 515. If an insane person or a child who has not reached the age of legal responsibility touches a corpse, then after the insane person becomes sane or the child reaches the age of legal responsibility, he must perform the *ghusl* for touching a corpse; and if the child is *mumayyiz* [and performs this *ghusl*], his *ghusl* is valid.

Ruling 516. If part of the body of a living person, or part of the body of a dead person who has not been given *ghusl*, becomes separated and one touches it before it is given *ghusl*, it is not necessary for him to perform the *ghusl* for touching a corpse, even if the separated part contains a bone. However, if a corpse is cut into pieces and one touches all or most of them, then this *ghusl* becomes obligatory.

Ruling 517. Performing this *ghusl* is not obligatory for touching a bone that has not been given *ghusl* and which has separated from a dead or a living person. Similarly, [performing this *ghusl* is not obligatory] for touching a tooth that has separated from a dead or a living person.

Ruling 518. The *ghusl* for touching a corpse is like the *ghusl* for *janābah*, and it suffices in place of *wuḍūʾ*.

Ruling 519. If a person touches a number of corpses, or if a person touches one corpse a number of times, then performing one *ghusl* is sufficient.

Ruling 520. There is no problem for someone who has touched a corpse but has not performed the *ghusl* for touching a corpse to stay in a mosque, or to have sexual intercourse with his wife, or to recite verses of the Qurʾān that contain an obligatory *sajdah*.⁵⁰ However, for prayers and suchlike, he must perform *ghusl*.

⁴⁹ See Ruling 538.

⁵⁰ These verses are mentioned in the fifth part of the list mentioned in Ruling 354.

LAWS RELATING TO A DYING PERSON (MUḤTAḌAR)

Ruling 521. Based on obligatory precaution, a believer who is dying – i.e. breathing his last breaths – must be laid on his back, if possible, and in a way that the soles of his feet face qibla, whether the believer is male or female, an adult or a child.

Ruling 522. It is better that until the *ghusl* given to a corpse has not been completely performed, a dying person should be laid in the manner mentioned in the previous ruling [with the soles of his feet] facing qibla. And after a corpse has been given *ghusl*, it is better to lay it in the same position as it will be when people perform *ṣalāt al-mayyit* for it.

Ruling 523. Based on obligatory precaution, laying a dying person in a way that the soles of his feet face qibla is obligatory on every Muslim; and in the event that Muslims know that the dying person consents [to being laid like this] and he is not incapacitated, it is not necessary to obtain permission from his guardian (*walī*) [to lay him like this]; otherwise [if he is incapacitated], then based on obligatory precaution, it is necessary to obtain permission from his guardian.

Ruling 524. It is recommended to perform *talqīn*⁵¹ on a dying person with the *shahādatayn* (two testimonies),⁵² the avowal (*iqrār*) of the Twelve Imams (‘A), and other rightful beliefs of the faith in a manner that he understands. It is also recommended that the aforementioned things be repeated until the time of death.

Ruling 525. It is recommended that this *du‘ā*³ be impressed upon the dying person in a manner that he understands:

اَللّٰهُمَّ اغْفِرْ لِي الْكَثِيْرَ مِنْ مَّعَاصِيْكَ، وَ اَقْبَلْ مِنِّي الْيَسِيْرَ مِنْ طَاعَتِكَ،
يَا مَنْ يَقْبَلُ الْيَسِيْرَ وَ يَعْفُو عَنِ الْكَثِيْرِ، اِقْبَلْ مِنِّي الْيَسِيْرَ وَ اغْفُ عَنِّيْ

⁵¹ *Talqīn* refers to impressing principle beliefs upon a dying person or to a corpse.

⁵² As explained in Ruling 205, ‘the two testimonies’ refers to testifying to the oneness of Allah and to the prophethood of Prophet Muḥammad (S).

الْكَثِيرِ، إِنَّكَ أَنْتَ الْعَفُوُّ الْعَفُورُ، اللَّهُمَّ ارْحَمْنِي فَإِنَّكَ رَحِيمٌ

allāhummagh fir liyal kathīra mim ma'āṣīk, waqbal minnīyal yasīra min
ṭā'atik, yā may yaqbalul yasīra wa ya'fū 'anil kathīr, iqbal minnīyal yasīra
wa' fu 'annīyal kathīr, innaka antal 'afuwwul ghafūr, allāhummar ḥamnī
fa'innaka raḥīm

O Allah! Pardon the many times I have disobeyed You, and accept the few instances when I have obeyed You. O You Who accept the few and pardon the many! Accept from me what are few and pardon me for the many. Indeed You are the All-Pardoning, the All-Forgiving. O Allah!

Have mercy on me, for You are the Ever-Merciful.

Ruling 526. If someone is experiencing a painful death, it is recommended for him to be taken to the place where he used to perform prayers, as long as this does not upset him.

Ruling 527. In order to comfort a dying person, it is recommended to recite at his side the blessed surahs of Yāsīn,⁵³ al-Ṣāffāt,⁵⁴ and al-Aḥzāb;⁵⁵ and to recite Āyat al-Kursī,⁵⁶ verse fifty-four of Surat al-A'rāf,⁵⁷ and the last three verses of Surat al-Baqarah.⁵⁸ In fact, [it is recommended] to recite as much of the Qur'an as possible.

Ruling 528. It is disapproved to leave a dying person alone, to place a weighty object on his stomach, to be *junub* or *ḥā'id* near him, to talk excessively near him, to cry near him, or to leave women alone next to him.

LAWS RELATING TO AFTER DEATH

Ruling 529. After someone has died, it is recommended to close his lips, eyes, and mouth, to straighten his hands and legs, and to cover him with a piece of cloth. If someone dies at night, [it is recommended]

⁵³ Chapter 36 of the Qur'an.

⁵⁴ Chapter 37 of the Qur'an.

⁵⁵ Chapter 33 of the Qur'an.

⁵⁶ Verse 255 of Chapter 2 of the Qur'an.

⁵⁷ Chapter 7 of the Qur'an.

⁵⁸ Chapter 2 of the Qur'an.

to keep the place where he died lighted, to inform the believers about the funeral, and to hasten in burying his body. However, if his death is not certain, people must wait until it is certain. Furthermore, if the deceased is a pregnant woman and the child in her womb is alive, the burial must be delayed so that the woman's stomach can be cut open, the baby removed, and the woman's stomach stitched up.

THE OBLIGATION TO GIVE *GHUSL*, SHROUD (*TAKFĪN*), PRAY OVER, CAMPHORATE (*TAḤNĪṬ*), AND BURY (*DAFN*)

Ruling 530. It is obligatory on the guardian of a Muslim who has died to give him *ghusl* and to camphorate, shroud, perform prayers over, and bury him, even if the deceased is not a Twelver (Ithnā 'Asharī) Shia. The guardian must either do these things himself or instruct someone else to do them; and in the event that someone else does these things with the permission of the guardian, the responsibility is lifted from the guardian. In fact, even if the burial and suchlike is carried out without the permission of the guardian, the responsibility is still lifted from him and there is no need to repeat those things. If the deceased does not have a guardian or the guardian refuses to do those things, then it is obligatory on every *mukallaf* to do them as a collective obligation (*al-wājib al-kifā'ī*), meaning that if someone or some people do those things, the responsibility is lifted from everyone else, and in the event that no one does them, then everyone will have committed a sin. In case the guardian refuses [to do those things or instruct someone else to do them], it is not necessary to obtain his permission.

Ruling 531. If a person is engaged in attending to the duties relating to a deceased person, it is not obligatory on others to start doing them. However, if the person leaves the duties half-finished, then others must complete them.

Ruling 532. If a person is certain that others are engaged in attending to the duties relating to a deceased person, it is not obligatory on him to start doing those things. However, if one doubts or merely

supposes [that others are engaged in attending to those duties], then he must start doing them.

Ruling 533. If someone knows that the *ghusl*, shrouding, prayers, or burial of a deceased person has been performed incorrectly, he must perform that act again. However, if one merely supposes that it was incorrect or doubts whether it was correct or not, then it is not necessary for him to perform it again.

Ruling 534. The guardian of a woman is her husband. In other cases, the guardian of a deceased person is the heir in accordance with the order of the tiers of inheritance, which will be mentioned later. In each tier, men take precedence over women; however, there is a problem [i.e. it is not correct, based on obligatory precaution] to consider [certain members of the family as having precedence over others, such as] the father of the deceased over the deceased's son; his paternal grandfather over his brother; his brother over his paternal half-brother only or over his maternal half-brother only; his paternal half-brother over his maternal half-brother; and his paternal uncle over his maternal uncle. Therefore, in these cases, the necessity of observing precaution must not be abandoned [i.e. based on obligatory precaution, one must not consider these as being valid instances of precedence]. Furthermore, if there are a number of guardians, the permission of one of them suffices.

Ruling 535. A child who is not *bāligh* and an insane person cannot be the guardian of a deceased person. Similarly, a person who is absent and cannot personally undertake the duties or instruct someone else to do them cannot be a guardian.

Ruling 536. If someone says he is the guardian of a deceased person or that the guardian of the deceased has given him permission to give *ghusl*, shroud, and bury the deceased, or, if with regard to preparing the corpse he says that he is his executor (*waṣī*), then, in the event that one is confident that what he says is the truth, or the deceased's body is at his disposal, or two just people testify to the veracity of what he says, his word must be accepted.

Ruling 537. If a deceased person had specified someone other than his

guardian to perform his *ghusl*, shrouding, burial, and prayers, then the responsibility of performing these duties lies with the appointed person. It is not necessary for the person whom the deceased has requested to personally undertake performing the duties, to accept the request; however, if he does accept, he must perform those duties.

METHOD OF PERFORMING THE *GHUSL* GIVEN TO A CORPSE (*MAYYIT*)

Ruling 538. It is obligatory to give a corpse three *ghusls* in the following order:

1. a *ghusl* with water that has been mixed with lote tree (*sidr*) leaves;
2. a *ghusl* with water that has been mixed with camphor (*kāfūr*);
3. a *ghusl* with ordinary water.

Ruling 539. The amount of *sidr* leaves and camphor in the water must not be so great that they turn the water into mixed (*muḍāf*) water, and neither must the amount be so little that it cannot be said that *sidr* leaves and camphor have been mixed in the water.

Ruling 540. If the necessary amount of *sidr* leaves and camphor cannot be found, then based on recommended precaution, the amount that one has access to should be mixed in the water.

Ruling 541. If someone dies in the state of *iḥrām*, he must not be given *ghusl* with camphor water; instead, he must be given *ghusl* with ordinary water, unless he was in the state of *iḥrām* for *ḥajj al-tamattu'*⁵⁹ and he had completed the *ṭawāf*,⁶⁰ its prayer, and *sa'y*,⁶¹ or, if he was in the state of *iḥrām* for *ḥajj al-qirān* or *ḥajj al-ifrād*⁶² and

⁵⁹ *Ḥajj al-tamattu'* is the pilgrimage to Mecca performed by Muslims who reside further than 88 kilometres from Mecca.

⁶⁰ *Ṭawāf* refers to the circumambulation of the Ka'bah.

⁶¹ *Sa'y* refers to the *hajj* ritual of traversing to and from the mountains of Ṣafā and Marwah.

⁶² These are two types of pilgrimage to Mecca performed by Muslims who reside

he had performed *ḥalq*;⁶³ in these two cases, he must be given *ghusl* with camphor water.

Ruling 542. If *sidr* leaves and camphor, or one of them, cannot be found, or, if using them is not permitted – for example, they are usurped – then based on obligatory precaution, a person must perform one *tayammum* on the deceased; and in place of whichever one was not possible [i.e. in place of the *sidr* leaves and/or camphor that could not be found or was not permitted to use], *ghusl* must be given with ordinary water.

Ruling 543. One who gives *ghusl* to a corpse must be sane, Muslim, and, based on obligatory precaution, a Twelver (Ithnā ‘Asharī) Shia; furthermore, he must know the rulings of *ghusl*. If a *mumayyiz* child performs *ghusl* correctly, it is acceptable [for him to perform the *ghusl*]. And in the event that the deceased is not a Twelver Shia and someone from the deceased’s religious denomination (*madhhab*) gives him *ghusl* – albeit according to the laws of his denomination – the responsibility is lifted from Twelver believers unless a Twelver believer is the guardian of the deceased, in which case the responsibility is not lifted from him.

Ruling 544. One who gives *ghusl* to a corpse must have the intention of attaining proximity to Allah, and it is sufficient if he has an intention to follow the command of Allah.

Ruling 545. Giving *ghusl* to a Muslim child is obligatory even if the child is of illegitimate birth. Giving *ghusl*, shrouding, and burying a disbeliever and his children is not obligatory; however, if the child of a disbeliever is *mumayyiz* and expresses belief in Islam, he is a believer. As for someone who was insane from childhood and reached the age of legal responsibility while he was insane, in the event that his father or his mother is Muslim, he must be given *ghusl*.

Ruling 546. A miscarried child of four months or more must be given *ghusl*. In fact, based on obligatory precaution, even a miscarried child of less than four months whose body formation is complete must

within 88 kilometres of Mecca.

⁶³ *Ḥalq* is the shaving of the head performed by men as part of the hajj rituals.

be given *ghusl*. In cases other than these two, based on obligatory precaution, one must wrap the child in cloth and bury it without giving it *ghusl*.

Ruling 547. A man cannot give *ghusl* to a woman who is not his *maḥram*; and similarly, a woman cannot give *ghusl* to man who is not her *maḥram*. A husband and wife can give *ghusl* to one another.

Ruling 548. A man can give *ghusl* to a young girl who cannot discern between right and wrong; and a woman can give *ghusl* to a young boy who cannot discern between right and wrong.

Ruling 549. Those who are *maḥram* can give *ghusl* to one another, whether they are *maḥram* by relation – for example, a mother and a sister – or by way of suckling, or by marriage. Except for the private parts of a corpse, it is not necessary [to cover it and] give it *ghusl* from under the cover, although it is better to do so. However, based on obligatory precaution, a man can only give *ghusl* to a *maḥram* woman when he cannot find a woman who can give *ghusl* to her, and vice versa [i.e. a woman can only give *ghusl* to a *maḥram* man when she cannot find a man who can give *ghusl* to him].

Ruling 550. If a corpse and the person giving *ghusl* to it are both male, or if both are female, it is permitted for the corpse to be naked, except for the private parts. However, it is better to give it *ghusl* from under a cover.

Ruling 551. Looking at the private parts of a corpse is unlawful, except in the case of a husband and wife; and if the person who is giving *ghusl* looks [at the private parts], he commits a sin but the *ghusl* does not become invalid.

Ruling 552. If there is an intrinsic impurity on any part of a corpse, it must be removed before *ghusl* is given to that part; and it is better to remove impurities from the entire body before starting the *ghusl*.

Ruling 553. [The method of performing] the *ghusl* given to a corpse is the same as that of the *ghusl* for *janābah*; and the obligatory precaution is that one must not give a corpse immersive *ghusl* if it is

possible to give it sequential *ghusl*; and if sequential *ghusl* is given, the right side must be washed before the left side.

Ruling 554. If someone dies while in the state of *ḥayḍ* or *janābah*, it is not necessary to give that person the *ghusl* for *ḥayḍ* or the *ghusl* for *janābah*; rather, the *ghusl* given to a corpse will suffice.

Ruling 555. Based on obligatory precaution, it is unlawful to take a fee for giving *ghusl* to a corpse; and if someone gives *ghusl* to a corpse with the intention of earning a fee such that it conflicts with him having an intention of attaining proximity to Allah, the *ghusl* is invalid. However, it is not unlawful to take a fee for preliminary matters relating to giving *ghusl* [such as getting the three types of water ready].

Ruling 556. Giving *jabīrah ghusl* to a corpse has not been sanctioned in Islamic law (i.e. it is not *mashrūʿ*). Furthermore, if one does not find water or if there is an obstacle to using water, he must perform one *tayammum* on the corpse instead of giving it *ghusl*; and the recommended precaution is to perform three *tayammums* on it.

Ruling 557. Someone who performs *tayammum* on a corpse must strike his own palms on the earth, and then wipe them on the face and on the back of the hands of the corpse; and if it is possible, the recommended precaution is to perform *tayammum* using the hands of the corpse.

LAWS OF SHROUDING (*TAKFĪN*) A CORPSE

Ruling 558. The body of a dead Muslim must be shrouded with three pieces of cloth: a loincloth, a shirt, and a full cover.

Ruling 559. Based on obligatory precaution, the loincloth must cover the area from the navel to the knees; and it is better that it covers the area from the chest to over the feet. Furthermore, based on obligatory precaution, the shirt must cover the area from the top of the shoulders to the middle of the calf; and it is better that it reaches over the feet. As for the full cover, this must be long enough to cover

the entire body; and the obligatory precaution is that its length must be long enough for both ends to be tied, and that its width must be wide enough for one side to overlap the other.

Ruling 560. The obligatory quantity of the shroud (*kafan*) mentioned in the previous ruling must be taken from the estate of the deceased. In fact, even the recommended quantity of the *kafan* – up to a limit that is common and normal, and taking into consideration the status of the deceased – can also be taken from the estate of the deceased. However, in case the deceased's heir is not *bāligh*, the recommended precaution is that one should not take more than the obligatory quantity of the *kafan* from the estate.

Ruling 561. If someone makes a will stipulating that the recommended amount of his *kafan* should be paid for from the one-third of his estate,⁶⁴ or, if he makes a will that one-third of his estate should be spent on himself but does not specify how it should be spent, or he specifies how only part of it should be spent, in these cases, the recommended quantity of the *kafan* can be taken from the one-third of his estate, even if the quantity is more than the amount that is commonly used.

Ruling 562. If a deceased person has not made a will stipulating that the cost of his *kafan* must be taken from the one-third of his estate, and if one wants to take it out from his estate, he must not take more than what was mentioned in Ruling 560. For example, the recommended quantity of the *kafan* must not be taken from the deceased's estate in an amount that is uncommon and more than what is appropriate to the deceased's status. Similarly, if one pays more than the usual price for the *kafan*, he must not pay the extra amount from the deceased's estate. However, if one has permission from the heirs who are *bāligh*, he can pay for it from their share.

Ruling 563. It is the responsibility of the husband to provide the *kafan* for his wife, even if she has her own wealth. Similarly, if a woman is given a revocable divorce (*talāq rij'ī*) – which will be explained in the section on the rules of divorce – and she dies before the expiry

⁶⁴ This refers to the maximum amount of one's estate over which he has discretion in a will for it to be disposed of in accordance with his wishes after his death.

of her prescribed waiting period (*'iddah*), her husband must provide the *kafan* for her. In the event that her husband is not *bāligh* or he is insane, the guardian of the husband must provide the wife's *kafan* from the husband's estate.

Ruling 564. Providing the *kafan* for a deceased person is not obligatory on his relatives, even if it was obligatory on them to pay for his living expenses while he was alive.

Ruling 565. If a deceased person does not have an estate from which his *kafan* can be purchased, it is not permitted to bury him naked; rather, based on an obligatory precaution, it is obligatory on the Muslims [who come to know about this] to shroud him; and it is permitted to pay for the *kafan* from alms tax (*zakat*).

Ruling 566. The obligatory precaution is that each of the three pieces of the *kafan* must not be so thin that the corpse can be seen through it. However, if the pieces are such that all three of them together prevent the corpse from being seen, it will suffice.

Ruling 567. It is not permitted to shroud a corpse with something that has been usurped even if nothing else can be procured; and in the event that the *kafan* of a corpse has been usurped and the owner does not consent, it must be removed from the corpse even if it has already been buried, except in a few cases, but space does not allow for the details of these cases to be mentioned here.

Ruling 568. It is not permitted to shroud a corpse with anything impure or with pure silk cloth; and based on obligatory precaution, [it is not permitted to shroud a corpse] with a cloth that has been woven with gold. However, there is no problem in using these if no other option is available.

Ruling 569. It is not permitted to shroud a corpse with the hide of an impure carcass when other options are available. Similarly, based on obligatory precaution, shrouding with the hide of a pure carcass and with cloth made of the wool or fur of an animal whose meat is unlawful to eat is also not permitted when there are other options available. However, there is no problem if the *kafan* is made of the fur or wool

of an animal whose meat is lawful to eat, although the recommended precaution is that a corpse should not be shrouded with either of these.

Ruling 570. If the *kafan* of a corpse becomes impure with an impurity – irrespective of whether the impurity was from the corpse itself or from something else – in the event that the *kafan* would not be destroyed, the impure part must be washed or cut out even if this takes place after the corpse has been placed in the grave; and if washing or cutting it out is not possible but it is possible to replace the *kafan*, then it must be replaced.

Ruling 571. If someone in the state of *ihrām* for hajj or ‘*umrah* dies, he must be shrouded in the same manner as other people [who die while not in the state of *ihrām*]; and there is no problem in covering his head and face.

Ruling 572. It is recommended that while someone is healthy, he should prepare his *kafan*, *sidr* leaves, and camphor.

LAWS OF CAMPHORATING (TAḤNĪṬ) A CORPSE

Ruling 573. After *ghusl* has been given to a corpse, it is obligatory to camphorate it – i.e. to apply camphor on its forehead, palms, knees, and the tips of the big toes – such that a little of the camphor remains on them even if by means other than rubbing. It is recommended that camphor also be applied to the tip of the nose of the corpse. The camphor must be powdered, fresh, and *mubāḥ* (not usurped); and if it has lost its fragrance on account of it being old, it will not suffice.

Ruling 574. The recommended precaution is that camphor should be first applied to the forehead of the corpse; thereafter, there is no particular order in applying camphor to the other parts of the body.

Ruling 575. It is better that camphorating takes place before shrouding, although there is no problem in doing it during or after shrouding.

Ruling 576. If someone dies while in the state of *ihrām* for ‘*umrah* or hajj, it is not permitted to camphorate his body except in the case

mentioned in Ruling 541.

Ruling 577. Although applying perfume is unlawful for someone engaged in a spiritual retreat (*i'tikāf*)⁶⁵ and for a woman whose *'iddah* has not yet finished following the death of her husband, when such a person dies, it is obligatory to camphorate his or her body.

Ruling 578. The recommended precaution is that a corpse should not be perfumed with musk, ambergris (*'anbar*), aloes-wood (*'ūd*) and other fragrances, and nor should these be mixed with the camphor.

Ruling 579. It is recommended to mix some *turbah* from the grave of His Eminence al-Sayyid al-Shuhadā' [Imam al-Ḥusayn] (ʿA) with the camphor. However, the camphor must not be applied to places on the body that would cause disrespect to that earth. Furthermore, the amount of *turbah* should not be so great that when it is mixed with the camphor, it can no longer be called 'camphor'.

Ruling 580. If camphor cannot be procured, or if the quantity that can be procured is sufficient only for *ghusl*, then camphorating is not necessary; and in the event that after *ghusl* an amount of camphor is left over but it is not sufficient for it to be applied to all seven parts of the body, then based on recommended precaution, it must first be applied to the forehead and then to the other parts if any is left over.

Ruling 581. It is recommended to place two freshly cut twigs in the grave with the corpse.

LAWS OF THE FUNERAL PRAYER (ṢALĀT AL-MAYYIT)

Ruling 582. It is obligatory to perform *ṣalāt al-mayyit* for a Muslim who has died, and for every child who is considered to be a Muslim and who has completed six years of age.

⁶⁵ *I'tikāf* refers to the act of staying in a mosque under particular conditions with the intention of worshipping Allah. The laws of *i'tikāf* are stated in Chapter 5.

Ruling 583. Based on obligatory precaution, it is necessary to perform *ṣalāt al-mayyit* for a child who has not completed six years of age but who could understand prayers; and if the child could not understand prayers, there is no problem in performing the prayer with the intention of *rajāʾ* [i.e. with the intention of performing it in the hope that it is desired by Allah]. There is no recommendation to perform the prayer for a stillborn child.

Ruling 584. *Ṣalāt al-mayyit* must be performed after giving *ghusl*, camphorating, and shrouding; and if it is performed before or while performing these – albeit forgetfully or on account of not knowing the ruling – it will not suffice.

Ruling 585. It is not necessary for someone who wants to perform *ṣalāt al-mayyit* to have *wuḍūʾ*, *ghusl*, or *tayammum*, or for his body and clothes to be pure. In fact even if his clothes are usurped there is no problem, although it is better that he observes all the rules that apply to other prayers.

Ruling 586. The person who performs *ṣalāt al-mayyit* must face qibla. It is also obligatory to place the corpse in a way that it lies on its back in front of the person performing the prayer with its head on the person's right hand side and its feet on his left.

Ruling 587. The place where one performs the prayers must not be higher or lower than the corpse; being a little higher or lower, however, is not a problem. The recommended precaution is that the place where the prayers are being performed should not be usurped.

Ruling 588. The person performing the prayer must not be far away from the corpse. However, there is no problem in him being far away if the prayer is performed in congregation and the rows are connected to one another.

Ruling 589. The person performing the prayer must stand with the corpse in front of him. However, if the prayer is being performed in congregation, there is no problem if some of the people do not stand in front of the corpse.

Ruling 590. There must not be a curtain, wall, or a similar thing between the corpse and the one performing the prayer. However, there is no problem if the corpse is in a coffin or something similar.

Ruling 591. During the prayer, the private parts of the corpse must be covered; and if it has not been possible to shroud the corpse, the private parts must still be covered, albeit with a board, brick, or something similar.

Ruling 592. *Ṣalāt al-mayyit* must be performed while standing and with the intention of attaining proximity to Allah; and at the time of making the intention the corpse must be specified; for example, one makes the intention: 'I am performing the prayer for this corpse *qurbatan ilal lāh* (to attain proximity to Allah)'. And the obligatory precaution is that the type of stillness of body that is required in the daily prayers must be observed [in this prayer as well].

Ruling 593. If there is no one who can perform *ṣalāt al-mayyit* while standing, it can be performed while sitting.

Ruling 594. If the deceased person had made a will stipulating that a particular person must perform the prayer for him, it is not necessary for that nominated person to obtain permission from the guardian of the deceased, although it is better that he does so.

Ruling 595. The opinion of some jurists is that it is disapproved to perform *ṣalāt al-mayyit* a number of times. However, this matter is not established, and if the deceased is a learned and God-wary person, there is no problem in considering it as not being disapproved.

Ruling 596. If a corpse is intentionally, forgetfully, or for some other reason buried without the prayer being performed for it, or, if after burying a corpse it becomes known that the prayer performed for it was invalid, it is not permitted to exhume the body in order to perform the prayer for it. However, there is no problem if before the body decomposes the prayer is performed at the grave-side with the intention of *raja'* and while observing the conditions mentioned earlier for this prayer.

METHOD OF PERFORMING ṢALĀT AL-MAYYIT

Ruling 597. *Ṣalāt al-mayyit* has five *takbīrs*,⁶⁶ and it is sufficient if one who is performing the prayer says five *takbīrs* in the following manner:

After making the intention and saying the first *takbīr* he says:

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ

ashhadu al lā ilāha illal lāhu wa anna muḥammadar rasūlul lāh

I testify that there is no god but Allah and that Muḥammad is the messenger of Allah.

After the second *takbīr* he says:

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَ آلِ مُحَمَّدٍ

allāhumma ṣalli ‘alā muḥammadiw wa āli muḥammad

O Allah! Bless Muḥammad and the progeny of Muḥammad.

After the third *takbīr* he says:

اللَّهُمَّ اغْفِرْ لِلْمُؤْمِنِينَ وَ الْمُؤْمِنَاتِ

allāhummagh fir lilmu’minīna wal mu’mināt

O Allah! Forgive the believers, men and women alike.

After the fourth *takbīr*, if the deceased is male, he says:

اللَّهُمَّ اغْفِرْ لَهُذَا الْمَيِّتِ

allāhummagh fir lihādhil mayyit

O Allah! Forgive this deceased man.

If the deceased is female, he says:

اللَّهُمَّ اغْفِرْ لِهَذِهِ الْمَيِّتَةِ

allāhummagh fir lihādhihil mayyitah

O Allah! Forgive this deceased woman.

Then he says the fifth *takbīr* [to conclude the prayer].

⁶⁶ *Takbīr* is a proclamation of Allah’s greatness by saying ‘allāhu akbar’.

It is better that after the first *takbīr* he says:

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، أَرْسَلَهُ بِالْحَقِّ بَشِيرًا وَنَذِيرًا بَيْنَ يَدَيِ السَّاعَةِ

ashhadu al lā ilāha illal lāhu waḥdahu lā sharīka lah, wa ashhadu anna muḥammadan ‘abduhu wa rasūluh, arsalahu bilḥaqqi bashīraw wa nadhīram bayna yadayis sā‘ah

I testify that there is no god but Allah, He alone, for whom there is no partner; and I testify that Muḥammad is His servant and His messenger, whom He sent with the truth as a giver of glad tidings and a warner before the advent of the Hour [i.e. the Day of Judgement.]

[And it is better that] after the second *takbīr* he says:

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَبَارِكْ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَارْحَمْ مُحَمَّدًا وَآلَ مُحَمَّدٍ، كَأَفْضَلِ مَا صَلَّيْتَ وَبَارَكْتَ وَتَرَحَّمْتَ عَلَى إِبْرَاهِيمَ وَآلِ إِبْرَاهِيمَ، إِنَّكَ حَمِيدٌ مُجِيدٌ، وَصَلِّ عَلَى جَمِيعِ الْأَنْبِيَاءِ وَ الْمُرْسَلِينَ وَ الشُّهَدَاءِ وَ الصِّدِّيقِينَ وَ جَمِيعِ عِبَادِ اللَّهِ الصَّالِحِينَ

allāhumma ṣalli ‘alā muḥammadiw wa āli muḥammad, wa bārik ‘alā muḥammadiw wa āli muḥammad, warḥam muḥammadaw wa āla muḥammad, ka’afḍali mā ṣallayta wa bārakta wa tarahḥamta ‘alā ibrahīma wa āli ibrahīm, innaka ḥamidum majīd, wa ṣalli ‘alā jamī’il ambiyā’i wal mursalīna wash shuhadā’i waṣ ṣiddīqīna wa jamī’i ‘ibādil lāhiṣ ṣāliḥīn

O Allah! Bless Muḥammad and the progeny of Muḥammad, and bestow Your bounty upon Muḥammad and the progeny of Muḥammad, and have mercy on Muḥammad and the progeny of Muḥammad, with the best blessing, bestowal of bounty, and mercy that You showered upon Ibrāhīm and the progeny of Ibrāhīm. Indeed, You are the All-Laudable, All-Glorious. Bless all the Prophets and Messengers and witnesses and the truthful and all Allah’s righteous servants.

[And it is better that] after the third *takbīr* he says:

اللَّهُمَّ اغْفِرْ لِلْمُؤْمِنِينَ وَ الْمُؤْمِنَاتِ وَ الْمُسْلِمِينَ وَ الْمُسْلِمَاتِ، الْأَحْيَاءِ مِنْهُمْ وَ الْأَمْوَاتِ، تَابِعْ بَيْنَنَا وَ بَيْنَهُمْ بِالْخَيْرَاتِ، إِنَّكَ مُجِيبُ الدَّعَوَاتِ،

إِنَّكَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ

allāhummagh fir ilmu'minīna wal mu'mināti wal muslimīna wal muslimāt,
al'ahyā'i minhum wal amwāt, tābi' baynanā wa baynahum bilkhayrāt,
innaka mujībud da'awāt, innaka 'alā kulli shay'in qadīr

O Allah! Forgive the believers, men and women alike, and the Muslims, men and women alike, the living among them and the dead. Shower us and them with blessings. Indeed, You are the Answerer of Supplications. Indeed, You are powerful over everything.

[And it is better that] after the fourth *takbīr*, if the deceased is male, he says:

اللَّهُمَّ إِنَّ هَذَا عَبْدُكَ وَابْنُ عَبْدِكَ وَابْنُ أَمَتِكَ، نَزَلَ بِكَ وَأَنْتَ خَيْرُ مَنْزُولٍ بِهِ، اللَّهُمَّ إِنَّا لَا نَعْلَمُ مِنْهُ إِلَّا خَيْرًا، وَأَنْتَ أَعْلَمُ بِهِ مِنَّا، اللَّهُمَّ إِن كَانَ مُحْسِنًا فَزِدْ فِي إِحْسَانِهِ، وَإِنْ كَانَ مُسِيئًا فَتَجَاوَزْ عَنْهُ وَاعْفُ لَهُ، اللَّهُمَّ اجْعَلْهُ عِنْدَكَ فِي أَعْلَى عِلِّيِّينَ، وَاخْلُفْ عَلَى أَهْلِهِ فِي الْغَابِرِينَ، وَارْحَمْهُ بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ

allāhumma inna hādha 'abduka wabnu 'abdik wabnu amatik, nazala bika wa anta khayru manzūlim bih, allāhumma innā lā na'lamu minhu illā khayra, wa anta a'lamu bihi minnā, allāhumma in kāna muhsinan fazid fī ihsānih, wa in kāna musī'an fatajāwaz 'anhu waghfir lahu, allāhummaj 'alhu 'indaka fī a'lā 'illiyyīn, wakh luf 'alā ahlihi fīl ghābirīn, warḥamhu birahmatika yā arḥamar rāhimīn

O Allah! Indeed this is Your servant, son of Your servant, and son of Your maidservant. He has taken abode with You and You are the best of those who are taken abode with. O Allah! We do not know from him anything but good, and You are more knowing of him than we. O Allah! If he was benevolent then increase his benevolent deeds, and if he was sinful then overlook him [without punishing him] and forgive him. O Allah! Place him near You in the highest of the high ranks, and be his replacement for his family while they remain, and have mercy on him, by Your mercy, O Most Merciful!

Then he says the fifth *takbīr* [to conclude the prayer].

However, if the deceased is female, [it is better that] after the fourth *takbīr* he says:

اَللّٰهُمَّ اِنَّ هٰذِهِ اَمَتُكَ وَ ابْنَةُ عَبْدِكَ وَ ابْنَةُ اَمَتِكَ، نَزَلْتَ بِكَ وَ اَنْتَ خَيْرُ
 مَنْزُوْلٍ بِهٖ، اَللّٰهُمَّ اِنَّا لَا تَعْلَمُ مِنْهَا اِلَّا خَيْرًا، وَ اَنْتَ اَعْلَمُ بِهَا مِنَّا، اَللّٰهُمَّ
 اِنْ كَانَتْ مُحْسِنَةً فَرِّدْ فِيْ اِحْسَانِهَا، وَ اِنْ كَانَتْ مُسِيئَةً فَتَجَاوَزْ عَنْهَا وَ
 اغْفِرْ لَهَا، اَللّٰهُمَّ اجْعَلْهَا عِنْدَكَ فِيْ اَعْلٰى عِلِّيِّينَ، وَ اخْلُفْ عَلٰى اَهْلِهَا فِي
 الْعَابِرِيْنَ، وَ ارْحَمْهَا بِرَحْمَتِكَ يَا اَرْحَمَ الرَّاحِمِيْنَ

allāhumma inna hādhihi amatuka wabnatu ‘abdika wabnatu amatik, nazalat
 bika wa anta khayru manzūlim bih, allāhumma innā lā na‘lamu minhā illā
 khayra, wa anta a‘lamu bihā minnā, allāhumma in kānat muḥsinatan fazid
 fī iḥsānīhā, wa in kānat mus’atan fatajāwaz ‘anhā wagh fir lah, allāhummaj
 ‘alhā ‘indaka fī a’lā ‘illiyyīn, wakh luf ‘alā ahlihā fīl ghābirīn, war ḥamhā
 biraḥmatika yā arḥamar rāhimīn

O Allah! Indeed this is Your maidservant, daughter of Your servant, and daughter of Your maidservant. She has taken abode with You and You are the best of those who are taken abode with. O Allah! We do not know from her anything but good, and You are more knowing of her than we. O Allah! If she was benevolent then increase her benevolent deeds, and if she was sinful then overlook her [without punishing her] and forgive her. O Allah! Place her near You in the highest of the high ranks, and be her replacement for her family while they remain, and have mercy on her, by Your mercy, O Most Merciful!

Ruling 598. The *takbīrs* and *du‘ā’s* must be performed one after another such that the prayer does not lose its form.

Ruling 599. Someone who performs *ṣalāt al-mayyit* in congregation must also perform the *takbīrs* and recite the *du‘ā’s* even if he is a follower in the prayer [as opposed to being the imam of the prayer].

RECOMMENDED (MUSTAḤABB) ACTS OF ṢALĀT AL-MAYYIT

Ruling 600. The following are recommended acts of *ṣalāt al-mayyit*:

1. the person performing the prayer should have *wuḍū'*, *ghusl*, or *tayammum*; and the recommended precaution is that he should perform *tayammum* only when it is not possible for him to perform *wuḍū'* or *ghusl*, or he fears that were he to perform *wuḍū'* or *ghusl*, he would not reach the prayer in time;
2. if the deceased is male, the imam of the congregation or the person who is performing the prayer on his own should stand and face the middle part of the corpse; and if the deceased is female, they should stand and face her chest;
3. performing the prayer bare-footed;
4. raising one's hands for each *takbīr*;
5. the distance between the person who is performing the prayer and the corpse should be so little that if wind were to blow any loose clothing that the person happened to be wearing, it would touch the coffin;
6. performing the prayer in congregation;
7. the imam of the congregation should say the *takbīrs* and *du'ā's* aloud, and those who are following him in the prayer should say them quietly;
8. if the prayer is being performed in congregation, the person following the imam should stand behind him even if he is the only one following the imam;
9. praying a lot for the deceased and for the believers;
10. if the prayer is being performed in congregation, '*aṣṣalāh*' should be said three times before commencing the prayer;
11. performing the prayer in a place where people go more often for performing *ṣalāt al-mayyit*;
12. if a *ḥā'id* woman wants to perform *ṣalāt al-mayyit* in congregation, she should stand alone and not in the rows with other people who are performing the prayer.

Ruling 601. Performing *ṣalāt al-mayyit* in mosques is disapproved; performing it in Masjīd al-Ḥarām, however, is not disapproved.

LAWS OF BURIAL (DAFN)

Ruling 602. It is obligatory to bury a corpse in a manner that its smell does not come out and beasts of prey cannot dig it out; and if there is

danger that an animal will dig it out, the grave must be strengthened with bricks or similar things.

Ruling 603. If it is not possible to bury a corpse in the ground, it can be placed in a building or in a coffin instead.

Ruling 604. A corpse must be laid in the grave on its right side in a way that the front of the body faces qibla.

Ruling 605. If someone dies on a ship, in the event that his corpse will not decompose and there is no problem with it being on the ship, the people must wait until the ship reaches land and then they must bury it in the ground; otherwise, the *ghusl*, camphorating, and shrouding must be performed on the corpse while it is on the ship; and after performing *ṣalāt al-mayyit*, the corpse must be placed in a large barrel, its lid closed, and then the barrel must be thrown into the sea; or, a heavy object must be tied to the feet of the corpse and then it must be thrown into the sea. If possible, the corpse must be thrown in a place where it will not immediately become food for animals.

Ruling 606. In case there is danger that an enemy will dig up the grave of a deceased person, exhume the body, and cut off its ears, nose, or some other part, then in the event that it is possible to do so, the body must be thrown into the sea in the way mentioned in the previous ruling.

Ruling 607. If necessary, the expenses of throwing a corpse into the sea and of strengthening the grave can be taken from the deceased's estate.

Ruling 608. If a [pregnant] disbelieving woman dies and the baby in her womb has died, in the event that the father of the child is a Muslim, the woman must be laid on her left side with her back facing qibla so that the front of the baby faces qibla. The same applies, based on recommended precaution, if the spirit (*rūḥ*) has not yet entered the foetus.

Ruling 609. It is not permitted to bury a Muslim in the graveyard of disbelievers, or to bury a disbeliever in the graveyard of Muslims.

Ruling 610. It is not permitted to bury a Muslim in a place that is disrespectful to him, such as a place where rubbish and dirt are thrown.

Ruling 611. It is not permitted to bury a corpse in a place that is usurped, or in the ground of a place like a mosque that has been endowed (*waqf*) for purposes other than burial if it causes damage or inconvenience to the endowment. In fact, the same applies, based on obligatory precaution, even if it does not cause damage or inconvenience.

Ruling 612. It is not permitted to exhume a grave in order for another corpse to be buried there, unless the grave is very old and the first corpse has completely decomposed.

Ruling 613. If a part of the corpse becomes separated – even if it is its hair, nail, or tooth – it must be buried with the body; and in the event that the separated part is found after the body has been buried, then based on obligatory precaution – even if it is its hair, nail, or tooth – it must be buried in a different place. Furthermore, it is recommended to bury nails and teeth that separated from one's body when he was alive.

Ruling 614. If someone dies in a well and it is not possible to bring him out of it, the well must be sealed and it will be considered to be his grave.

Ruling 615. If a child dies in its mother's womb and were it to remain in the womb it would be dangerous for the mother, it must be taken out in the easiest way possible; and there is no problem if one is compelled to cut it into pieces. Furthermore, if her husband is skilled [in this matter], he must take the child out; and if this is not possible, a woman who is skilled [in this matter] must take it out. The mother can also refer this matter to someone who can better perform this task and who is more suited to her condition, even if that person is not her *maḥram*.

Ruling 616. Whenever a woman dies with a living child in her womb, if there is hope in the child surviving – albeit for a short period of

time – then the woman must be cut open from wherever it is best suited for the health of the child, and the child must be taken out, and then the mother's body must be stitched up. However, if one knows or is confident that if this is done the child will die, then it is not permitted.

RECOMMENDED (*MUSTAḤABB*) ACTS OF BURIAL (*DAFN*)

Ruling 617. The following are recommended acts of burial:

1. the depth of the grave should be equal to the height of an average person;
2. the corpse should be buried in the nearest graveyard unless a further graveyard is better for some reason; for example, righteous people are buried there, or because people visit there more often to recite Surat al-Fātiḥah etc. for those buried there;
3. the corpse should be placed on the ground at a short distance from the grave and be taken slowly towards the grave in three stages; and at each stage, the corpse should be placed on the ground and then lifted up; and the fourth time the corpse is put down should be when it is lowered into the grave;
4. if the deceased is male, then on the third time the corpse is put down, it should be placed on the ground in a way that the head is at the feet end of the grave; and on the fourth time, it should be lowered into the grave head-first. If the deceased is female, then on the third time the body should be placed at the side of the grave facing qibla and then lowered into the grave sideways; and a cloth should be held over the grave while it is being lowered into the grave;
5. the corpse should be taken out of the coffin and lowered into the grave gently;
6. the recommended *du'ā's* should be recited before and during the burial;
7. after the corpse has been placed in a niche in the side of the grave [as is done in some countries], the ties of the *kafan* should be unfastened, and the face of the corpse should be placed on

soil, and an earthen headrest should be formed and placed under its head;

8. unbaked bricks or clods of earth should be placed behind the back of the corpse so that it does not come to lie flat on its back;
9. before the niche is covered, a person should hold the right shoulder of the corpse with his right hand, and firmly take its left shoulder with his left hand, and place his mouth near the ear of the corpse, and vigorously shake the corpse, and say three times:⁶⁷

اسْمَعْ إِفْهَمْ (اسْمَعِي إِفْهَمِي) يَا _____ ابْنِ (بِنْتِ) _____

isma' ifham (isma'ī ifhamī) yā _____ ibna (binti) _____

Listen and understand, O _____ son (daughter) of _____ .

In the blank spaces, one should say the name of the deceased person and the name of his father. For example, if his name is Muḥammad and his father's name is 'Alī, he should say three times:

اسْمَعْ إِفْهَمْ يَا مُحَمَّدَ بْنَ عَلِيٍّ

isma' ifham yā muḥammadab na 'alī

Listen and understand, O Muḥammad son of 'Alī.

Then, he should say:

هَلْ أَنْتَ (أَنْتِ) عَلَى الْعَهْدِ الَّذِي فَارَقْتَنَا) فَارَقْتَنَا) عَلَيْهِ مِنْ شَهَادَةِ
أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَنَّ مُحَمَّدًا صَلَّى اللَّهُ عَلَيْهِ وَ
آلِهِ عَبْدُهُ وَرَسُولُهُ وَ سَيِّدُ النَّبِيِّينَ وَ خَاتَمُ الْمُرْسَلِينَ، وَأَنَّ عَلِيًّا أَمِيرُ
الْمُؤْمِنِينَ وَ سَيِّدُ الْوَصِيِّينَ وَ إِمَامُ افْتَرَضَ اللَّهُ طَاعَتَهُ عَلَى الْعَالَمِينَ،
وَ أَنَّ الْحَسَنَ وَ الْحُسَيْنَ، وَ عَلِيَّ بْنَ الْحُسَيْنِ، وَ مُحَمَّدَ بْنَ عَلِيٍّ، وَ
جَعْفَرَ بْنَ مُحَمَّدٍ، وَ مُوسَى بْنَ جَعْفَرٍ، وَ عَلِيَّ بْنَ مُوسَى، وَ مُحَمَّدَ
بْنَ عَلِيٍّ، وَ عَلِيَّ بْنَ مُحَمَّدٍ، وَ الْحَسَنَ بْنَ عَلِيٍّ، وَ الْقَائِمَةَ الْحُجَّةَ

⁶⁷ In the following text, the words inside parentheses do not appear in the original work. They have been added here to facilitate the speaker when the deceased is female.

الْمُهْدِيَّ، صَلَوَاتُ اللَّهِ عَلَيْهِمْ أَئِمَّةُ الْمُؤْمِنِينَ، وَ حُجَّجُ اللَّهِ عَلَى الْخَلْقِ
أَجْمَعِينَ، وَ أَئِمَّتُكَ (أَئِمَّتُكَ) أئِمَّةُ هُدًى بِكَ (بِكَ) أَبْرَارُ يَا _____

hal anta (anti) 'alal 'ahdil ladhī fāraqtanā (fāraqtinā) 'alayhi min
shahādati al lā ilāha illal lāhu waḥdahū lā sharīka lah, wa anna
muḥammadan ṣallal lāhu 'alayhi wa ālihi 'abduhu wa rasūluhu
wa sayyidun nabiyyīna wa khātamul mursalīn, wa anna 'aliyyan
amīrul mu'minīna wa sayyidul waṣiyyīna wa imāmunif taraḍal lāhu
ṭā'atahu 'alal 'ālamīn, wa annal ḥasana wal ḥusayn, wa 'aliyyabnal
ḥusayn, wa muḥammadabna 'alī, wa ja'farabna muḥammad, wa
mūsabna ja'far, wa 'aliyyabna mūsā, wa muḥammadabna 'aliyy,
wa 'aliyyabna muḥammad, wal ḥasanabna 'alī, wal qā'im al ḥujjatal
mahdī, ṣalawātullāhi 'alayhim a'immatul mu'minīn, wa ḥujajul lāhi
'alal khalqī ajma'in, wa a'immatuka (a'immatuki) a'immatu hudam
bika (biki) abrāruy yā _____

Do you hold true to the covenant to which you held when you
parted from us? Whereby you testify that there is no god but
Allah, He alone, for whom there is no partner; that Muḥammad
– may Allah bless him and his progeny – is His servant and His
messenger and the foremost of all the Prophets and the seal of
all the Messengers; that 'Ali is the Commander of the Faithful
and the master of all the successors and an Imam whose
obedience Allah has made obligatory on the whole world;
that al-Ḥasan, and al-Ḥusayn, and 'Ali son of al-Ḥusayn, and
Muḥammad son of 'Ali, and Ja'far son of Muḥammad, and Mūsā
son of Ja'far, and 'Alī son of Mūsā, and Muḥammad son of 'Alī,
and 'Ali son of Muḥammad, and al-Ḥasan son of 'Alī, and the
Upriser, the Proof, al-Mahdī – may Allah's blessings be upon
them all – are Imams of the faithful and Allah's proofs over
the whole of creation, and your Imams are Imams of guidance
for you and are pious, O _____ .

In the blank space, he should say the name of the deceased
person and the name of his father. Then, he should say:

إِذَا أَتَاكَ (أَتَاكَ) الْمَلَكَانِ الْمُقَرَّبَانِ رَسُولَيْنِ مِنْ عِنْدِ اللَّهِ تَبَارَكَ وَ
تَعَالَى، وَ سَلَاكَ (سَلَاكَ) عَنْ رَبِّكَ (رَبِّكَ)، وَ عَنْ نَبِيِّكَ (نَبِيِّكَ)،

وَعَنْ دِينِكَ (دِينِكَ)، وَعَنْ كِتَابِكَ (كِتَابِكَ)، وَعَنْ قِبْلَتِكَ (قِبْلَتِكَ)، وَعَنْ أَمَّتِكَ (أَمَّتِكَ)، فَلَا تَخَفُ (تَخَافِي) وَلَا تَحْزَنُ (تَحْزَنِي)، وَقُلْ (قُولِي) فِي جَوَاهِمَا اللَّهُ رَبِّي، وَ مُحَمَّدٌ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ نَبِيِّي، وَ الْإِسْلَامُ دِينِي، وَ الْقُرْآنُ كِتَابِي، وَ الْكَعْبَةُ قِبْلَتِي، وَ أَمِيرُ الْمُؤْمِنِينَ عَلِيُّ بْنُ أَبِي طَالِبٍ إِمَامِي، وَ الْحَسَنُ بْنُ عَلِيٍّ الْمُجْتَبَى إِمَامِي، وَ الْحُسَيْنُ بْنُ عَلِيٍّ الشَّهِيدُ بِكَرْبَلَاءَ إِمَامِي، وَ عَلِيُّ زَيْنُ الْعَابِدِينَ إِمَامِي، وَ مُحَمَّدُ الْبَاقِرُ إِمَامِي، وَ جَعْفَرُ الصَّادِقُ إِمَامِي، وَ مُوسَى الْكَاطِمُ إِمَامِي، وَ عَلِيُّ الرِّضَا إِمَامِي، وَ مُحَمَّدُ الْجَوَادُ إِمَامِي، وَ عَلِيُّ الْهَادِي إِمَامِي، وَ الْحَسَنُ الْعَسْكَرِيُّ إِمَامِي، وَ الْحُجَّةُ الْمُنتَظَرُ إِمَامِي، هَؤُلَاءِ صَلَوَاتُ اللَّهِ عَلَيْهِمْ أَمَّتِي وَ سَادَتِي وَ قَادَتِي وَ شَفَعَائِي، بِهِمْ أَتَوَلَّى وَ مِنْ أَعْدَائِهِمْ أَتَبَرَّأُ فِي الدُّنْيَا وَ الْآخِرَةِ، ثُمَّ اعْلَمْ (اعْلَمِي) يَا _____

idhā atākal (atākil) malakānil muqarrabāni rasūlayni min ‘indillāhi tabāraka wa ta‘ālā, wa sa‘alāka (sa‘alāki) ‘an rabbika (rabbiki), wa ‘an nabiyyika (nabiyyiki), wa ‘an dīnika (dīniki), wa ‘an kitābika (kitābiki), wa ‘an qiblatika (qiblatiki), wa ‘an a‘immatika (a‘immatiki), falā takhaf (takhāfi) wa lā taḥzan (taḥzanī), wa qul (qūli) fī jawābihimā allāhu rabbī, wa muḥammadun ṣallal lāhu ‘alayhi wa ālihi wa sallam nabiyyī, wal islāmu dīnī, wal qur’ānu kitābī, wal ka‘batu qiblatī, wa amīrul mu‘minīna ‘aliyyubnu abī ṭālib imāmī, wal ḥasanubnu ‘aliyyil mujtabā imāmī, wal ḥusaynubnu ‘aliyyinish shahīdu bikarbalā‘a imāmī, wa ‘alliyun zaynul ‘ābidīna imāmī, wa muḥammadunil bāqiru imāmī, wa j‘afaruniṣ ṣādiqū imāmī, wa mūsā kāzimu imāmī, wa ‘aliyyinir riḍā imāmī, wa muḥammadunil jawādu imāmī, wa ‘aliyyunil hādī imāmī, wal ḥasanul ‘askariyyu imāmī, wal ḥujjatul muntaẓaru imāmī, hā‘ulā‘i ṣalawātul lāhi ‘alayhim a‘immatī wa sādātī wa qādātī wa shufa‘ā‘ī, bihim atawallā wa min a‘dā‘ihim atabarra‘u fid dunyā wal ākhirah, thumma‘ lam (lamī) yā _____

When the two angels who are close [to Allah], come to you as messengers from Allah – the Blessed, the Exalted – and ask you about your Lord, your Prophet, your religion, your book, your qibla, and your Imams, then do not fear nor grieve, but

say in response to them: Allah is my Lord, Muḥammad – may Allah's blessing and peace be upon him and his progeny – is my Prophet, Islam is my religion, the Qur'an is my book, and the Ka'bah is my qibla. The Commander of the Faithful 'Alī ibn Abī Ṭālib is my Imam, al-Ḥasan al-Mujtabā is my Imam, al-Ḥusayn the Martyr of Karbalā is my Imam, 'Alī Zayn al-Ābidīn is my Imam, Muḥammad al-Bāqir is my Imam, Ja'far al-Ṣādiq is my Imam, Mūsā al-Kāzim is my Imam, 'Alī al-Riḍā is my Imam, Muḥammad al-Jawād is my Imam, 'Alī al-Hādī is my Imam, al-Ḥasan al-'Askarī is my Imam, and al-Ḥujjah al-Muntaẓar is my Imam. All of them – may Allah's blessings be upon them – are my Imams, my masters, my leaders, and my intercessors. I befriend only them and I have hatred only for their enemies in this world and the Hereafter. Then know, O _____

In the blank space, he should say the name of the deceased person and the name of his father. Then, he should say:

أَنَّ اللَّهَ تَبَارَكَ وَتَعَالَى نِعْمَ الرَّبُّ، وَأَنَّ مُحَمَّدًا صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَ
 سَلَّمَ نِعْمَ الرَّسُولُ، وَأَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ وَ أَوْلَادَهُ الْمَعْصُومِينَ
 الْأَئِمَّةَ الْإِثْنَى عَشَرَ نِعْمَ الْأَئِمَّةُ، وَأَنَّ مَا جَاءَ بِهِ مُحَمَّدٌ صَلَّى اللَّهُ
 عَلَيْهِ وَآلِهِ وَ سَلَّمَ حَقٌّ، وَأَنَّ الْمَوْتَ حَقٌّ، وَ سُؤَالَ مُنْكَرٍ وَ نَكِيرٍ
 فِي الْقَبْرِ حَقٌّ، وَ الْبُعْثَ حَقٌّ، وَ النُّشُورَ حَقٌّ، وَ الصِّرَاطَ حَقٌّ، وَ
 الْمِيزَانَ حَقٌّ، وَ تَطَاثُرَ الْكُتُبِ حَقٌّ، وَأَنَّ الْجَنَّةَ حَقٌّ، وَ النَّارَ حَقٌّ،
 وَأَنَّ السَّاعَةَ آتِيَةٌ لَا رَيْبَ فِيهَا، وَأَنَّ اللَّهَ يَبْعَثُ مَنْ فِي الْقُبُورِ

annal lāha tabāraka wa ta'ālā ni'mar rabb, wa anna muḥammadan
 ṣallal lāhu 'alayhi wa ālihi wa sallama ni'mar rasūl, wa anna 'aliyy-
 abna abī ṭālib wa awlādahul ma'sūmīnal a'immatal ithnā 'ashara
 ni'mal a'immah, wa anna mā jā'a bihi muḥammadun ṣallal lāhu
 'alayhi wa ālihi wa sallama haqq, wa annal mawta haqq, wa su'āla
 munkariw wa nakīrin fil qabri haqq, wal ba'tha haqq, wan nushūra
 haqq, waṣ ṣirāṭa haqq, wal mīzāna haqq, wa taṭā'ural kutubi haqq,
 wa annal jannata haqq, wan nāra haqq, wa annas sā'ata ātiyatul lā
 rayba fihā, wa annal lāha yab'athu man fīl qubūr

Allah, the Blessed, the Exalted, is the best Lord, and Muḥammad

- may Allah's blessing and peace be upon him and his progeny
- is the best messenger, and 'Alī ibn Abī Ṭālib and his infallible descendants, [together being] the twelve Imams, are the best Imams. What Muḥammad – may Allah's blessing and peace be upon him and his progeny – brought is true; death is real; the questioning of Munkar and Nakīr in the grave is real; the raising [from the graves] is real; the resurrection is real; the Path is real, the Scale is real; the disclosure of the book of deeds is real; Paradise is real; the Fire is real; the Hour is coming, there is no doubt about it; and Allah will raise those who are in the graves.

Then, he should say:

أَفْهِمْتَ (أَفْهِمْتَ) يَا _____

afahimta (afahimti) yā _____

Do you understand, O _____?

In the blank space, he should mention the name of the deceased.
Then, he should say:

ثَبَّتَكَ (ثَبَّتَكَ) اللَّهُ بِالْقَوْلِ الثَّابِتِ، وَ هَذَاكَ (هَذَاكَ) اللَّهُ إِلَى صِرَاطٍ
مُسْتَقِيمٍ، عَرَفَ اللَّهُ بَيْنَكَ (بَيْنَكَ) وَ بَيْنَ أَوْلِيَائِكَ (أَوْلِيَائِكَ) فِي
مُسْتَقَرٍّ مِّنْ رَّحْمَتِهِ

thabbatakal (thabbatikil) lāhu bilqawlith thābit, wa hadākal (hadākil)
lāhu ilā širāṭim mustaqīm, 'arrafal lāhu baynaka (baynaki) wa bayna
awliyā'ika (awliyā'iki) fī mustaqarrim min raḥmatih

May Allah keep you steadfast with the firm beliefs and may
He guide you on the right path. May Allah foster acquaintance
between you and your guardians in the abode of His mercy.

Then, he should say:

اَللّٰهُمَّ جَافِ الْأَرْضَ عَنْ جَنْبَيْهِ (جَنْبَيْهَا)، وَ اصْعَدْ بِرُوحِهِ (بِرُوحِهَا)
إِلَيْكَ، وَ لَقِّهِ (لَقِّهَا) مِنْكَ بُرْهَانًا، اَللّٰهُمَّ عَفْوَكَ عَفْوَكَ

allāhumma jāfil arḍa 'an jambayh (jambayhā), waṣ 'ad birūḥihi
(birūḥihā) ilayk, wa laqqihi (laqqihā) minka burhāna, allāhumma
'afwaka 'afwak

O Allah! Make the ground spacious for him (her) on both of his (her) sides, and elevate his (her) soul to You, and direct Your proof to him (her). O Allah! Bestow Your pardon! Bestow Your pardon!

Ruling 618. It is recommended that the person who places the corpse in the grave should have *wuḍū'* or *ghusl*, and be bare-headed and bare-footed, and he should climb out of the grave from the feet-side of the corpse. Persons other than the relatives of the deceased should put the soil into the grave with the back of their hands and say:

إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ

innā lillāhi wa innā ilayhi rāji'ūn

Indeed we belong to Allah, and to Him do we indeed return.⁶⁸

If the deceased is a woman, someone who is her *maḥram* should lower her in the grave; and if a *maḥram* is not present, her other relatives should do this.

Ruling 619. It is recommended that the grave should be four sided, and be raised to the height of four fingers from the ground, and that a sign be kept over it so that it is not mistaken, and that water be splashed over it, and that after splashing water over it those who are present should place their hands on the grave, spread their fingers, press them into the soil, and recite the blessed Surat al-Qadr⁶⁹ seven times, and ask forgiveness for the deceased, and recite this *du'ā'*:

اَللّٰهُمَّ جَافِ الْاَرْضَ عَن جَنْبَيْهِ (جَنْبَيْهَا)، وَ اَصْعِدْ اِلَيْكَ رُوْحَهُ (رُوْحَهَا)،
وَ لَقِّهِ (لَقِّهَا) مِنْكَ رِضْوَانًا، وَ اَسْكِنْ قَبْرَهُ (قَبْرَهَا) مِنْ رَحْمَتِكَ مَا تُغْنِيهِ
(تُغْنِيهَا) بِهِ عَن رَّحْمَةِ مَنْ سِوَاكَ

allāhumma jāfil arḍa 'an jambayh (jambayhā), wa aṣ'id ilayka ruḥah (ruḥahā), wa laqqihi (laqqihā) minka riḍwāna, wa askin qabrahū (qabrahā)
min raḥmatika mā tughnīhi (tughnīhā) bihi 'ar raḥmati man siwāk

O Allah! Make the ground spacious for him (her) on both of his (her) sides, and elevate his (her) soul, and direct Your pleasure to him (her), and settle Your mercy in his (her) grave, which will make him (her)

⁶⁸ Al-Baqarah (Chapter 2), verse 156.

⁶⁹ Chapter 97 of the Qur'an.

needless of the mercy of anyone other than You.

Ruling 620. It is recommended that after the people who attended the funeral have departed, the guardian of the deceased or the person who has been given permission by the guardian should recite the recommended *du'ā's* for the deceased.

Ruling 621. After burial, it is recommended that the grieving family should be given condolences. However, if after the passing of some time giving condolences would cause them to remember their grief, it is better to avoid it. It is also recommended to send food to the grieving family for three days, and during this time it is disapproved to eat food with them and in their house.

Ruling 622. It is recommended for one to be patient on the death of his near ones, especially on the death of a child; and whenever he remembers the deceased, he should say:

إِنَّا لِلّٰهِ وَ إِنَّا إِلَيْهِ رَاجِعُونَ

innā lillāhi wa innā ilayhi rāji'ūn

Indeed we belong to Allah, and to Him do we indeed return.⁷⁰

Furthermore, he should recite the Qur'an for the deceased, and at the grave of his father and mother he should pray to Allah for his needs and make the grave solid so that it is not easily ruined.

Ruling 623. Based on obligatory precaution, it is not permitted for a person to scratch his face and body or to cut his hair in mourning someone. However, it is permitted to slap one's own head and face.

Ruling 624. Based on obligatory precaution, it is not permitted for one to tear his collar in mourning the death of anyone except his father and brother; and the recommended precaution is that one should not tear his collar even in mourning their death.

Ruling 625. If a woman scratches her face in mourning a deceased person and makes it bleed, or if she pulls out her hair, then based

⁷⁰ Al-Baqarah (Chapter 2), verse 156.

on recommended precaution, she should free one slave, or feed ten poor people, or clothe them. The same applies to a man who tears his collar or his clothes in mourning the death of his wife or child.

Ruling 626. The recommended precaution is that when crying for a deceased person, one should not raise his voice very much.

THE PRAYER OF LONELINESS (*ṢALĀT AL-WAḤSHAH*)

Ruling 627. It is recommended that on the first night of burial, the two *rak'ah* prayer known as '*ṣalāt al-waḥshah*' should be performed for the deceased. The method of performing this prayer is as follows:

In the first *rak'ah* after reciting Surat al-Ḥamd, Āyat al-Kursī⁷¹ is recited once; and in the second *rak'ah* after reciting Surat al-Ḥamd, Surat al-Qadr is recited ten times; and after the *salām* of the prayer [i.e. after completing the prayer], the following is said:

اَللّٰهُمَّ صَلِّ عَلٰى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَابْعَثْ ثَوَابَهَا اِلَى قَبْرِ _____

allāhumma ṣalli 'alā muḥammadiw wa āli muḥammad, wab 'ath thawābahā
ilā qabri _____

O Allah! Bless Muḥammad and the progeny of Muḥammad, and send
the reward [of this prayer] to the grave of _____ .

In the blank space, one should say the name of the deceased person.

Ruling 628. *Ṣalāt al-waḥshah* can be performed at any time on the first night of burial. However, it is better to perform it at the start of the evening after '*ishā*' prayers.

Ruling 629. If people want to take the corpse to another town that is far away, or if the burial is delayed for some other reason, *ṣalāt al-waḥshah* should be delayed until the first night of burial.

⁷¹ Al-Baqarah (Chapter 2), verse 255.

EXHUMATION OF A GRAVE

Ruling 630. Exhuming the grave of a believer – i.e. opening his grave – is unlawful, even if the grave belongs to a child or to an insane person. However, there is no problem if the body has completely decomposed and has become dust.

Ruling 631. It is unlawful to destroy the graves of the descendants of the Imams (‘A), martyrs, and scholars, in any way that is considered disrespectful, even if many years have passed since the person was buried and the body has completely decomposed.

Ruling 632. Exhuming a grave is not unlawful in the following cases:

1. when the corpse has been buried in usurped land, and the owner of the land does not consent to the body remaining there, and exhuming the body does not cause hardship (*ḥaraj*); otherwise, it is not necessary for anyone to exhume the grave except the usurper himself [even if it causes him hardship]. However, if there is a more important, legally justified reason for not exhuming the body – for example, it will cause the body to fall apart – it is not necessary to do so; rather, it is not permitted. In fact, if exhuming a grave causes disrespect to the deceased, then based on obligatory precaution, it is not permitted except if the land was usurped by the deceased when he was alive;
2. when the *kafan* or something else that has been buried with the corpse is usurped and the owner does not consent to it remaining in the grave. The same applies if something from the deceased’s own estate that has been inherited by his heir is buried with the corpse and the heir does not consent to the object remaining in the grave. However, if the deceased had stipulated in his will that a certain *du‘ā*, or a copy of the Qur‘an, or a ring must be buried with him and his will is valid, then one cannot exhume the grave in order to take the object out. In this case, the exception that was mentioned in the previous case also applies;
3. when opening the grave does not cause disrespect and the corpse had been buried without having been given *ghusl*, or it

was buried without a *kafan*, or it becomes known that the *ghusl* was invalid, or the corpse had not been shrouded according to religious instruction, or it had not been placed in the grave facing qibla;

4. to see the body in order to establish a right that is more important than not exhuming the grave;
5. when the corpse has been buried in a place that is disrespectful to it, such as in the graveyard of disbelievers or a place where dirt and rubbish are thrown;
6. for a religious matter that is more important than not exhuming the grave; for example, in order to bring out a living child from the womb of a pregnant woman who has been buried;
7. when there is fear that a beast of prey will tear the body apart, or a flood will carry it away, or an enemy will exhume it;
8. when the deceased had stipulated in his will that his body must be transferred to a place where a holy person is buried in the event that there was no legal reason for not transferring the corpse and yet he was still buried elsewhere, either intentionally, unknowingly, or forgetfully; in such a case, the grave can be exhumed and the body transferred to a sacred place as long as it does not cause disrespect to it and there is no legal reason for not transferring it to the place where the holy person is buried. In fact, in this case, exhuming the grave and transferring the body is obligatory.

RECOMMENDED (*MUSTAḤABB*) *GHUSLS*

Ruling 633. In the sacred law of Islam, there are many recommended *ghusls*, including:

1. the Friday *ghusl*. The time for performing this *ghusl* is from *ṣubḥ* prayers until sunset, and it is better to perform it near *ẓuhr*. If a person does not perform it until after *ẓuhr*, it is better that he performs it before sunset without specifying an intention of *adā'* or *qaḍā'* [i.e. without specifying whether it is being performed within its prescribed time or not]. If a person does not perform this *ghusl* on Friday, it is recommended that he performs it as *qaḍā'* on Saturday between the time of *ṣubḥ*

prayers until sunset. If someone knows that he will not procure water on Friday, he can perform this *ghusl* on Thursday or on the night before Friday with the intention of *rajā'*. When one performs this *ghusl*, it is recommended that he says:

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي مِنَ التَّوَّابِينَ
وَاجْعَلْنِي مِنَ الْمُتَطَهِّرِينَ

ashadu al lā ilāha illal lāhu waḥdahu lā sharīka lah, wa anna muḥammadan 'abduhu wa rasūluh, allāhumma ṣalli 'alā muḥammadiw wa āli muḥammad, waj'alnī minat tawwābīna waj'alnī minal mutaṭahhirīn

I testify that there is no god but Allah, He alone; and I testify that Muḥammad is His servant and His messenger. O Allah! Bless Muḥammad and the progeny of Muḥammad. Make me of those who often repent and make me of those who purify themselves.

- 2-7. the *ghusl* for the night of the 1st, 17th, 19th, 21st, 23rd, and 24th of the month of Ramadan;
- 8-9. the *ghusl* for the day of Eid al-Fiṭr⁷² and Eid al-Aḍḥā.⁷³ The time for performing these *ghusls* is from *ṣubḥ* prayers until sunset, and it is better to perform them before the Eid prayers;
- 10-11. the *ghusl* for the day of the 8th and 9th of Dhū al-Ḥijjah,⁷⁴ and it is better to perform the *ghusl* on the day of the 9th at the time of *zuhr* prayers;
12. the *ghusl* of someone who has touched a corpse after it has been given *ghusl*;
13. the *ghusl* for *iḥrām*;
14. the *ghusl* for entering the sacred precinct (*ḥaram*) of Mecca;
15. the *ghusl* for entering Mecca;
16. the *ghusl* for visiting the Ka'bah;
17. the *ghusl* for entering the Ka'bah;
18. the *ghusl* for slaughtering a camel (*naḥr*) and for slaughtering an animal (*dhabḥ*);

⁷² The 1st of Shawwāl.

⁷³ The 10th of Dhū al-Ḥijjah.

⁷⁴ These days are known as the days of Tarwiyah and 'Arafah.

19. the *ghusl* for shaving one's hair (*ḥalq*);
20. the *ghusl* for entering the *ḥaram* of Medina;
21. the *ghusl* for entering Medina;
22. the *ghusl* for bidding farewell to the holy grave of Prophet Muḥammad (Ṣ);
23. the *ghusl* for *mubālahah* (mutual imprecation) with an opponent;
24. the *ghusl* for *istikhārah* (the practice of seeking from Allah the best choice between two or more options);
25. the *ghusl* for *istisqā'* (invocation for rain).

Ruling 634. In the course of explaining recommended *ghusls*, jurists have mentioned many other *ghusls*, including:

1. the *ghusl* for each of the odd nights of the month of Ramadan, and the *ghusl* for each of the last ten nights of Ramadan, and another *ghusl* at the end of the 23rd night of Ramadan;
2. the *ghusl* for the 24th of Dhū al-Ḥijjah;⁷⁵
3. the *ghusl* for the Eid of Nawrūz,⁷⁶ 15th of Shaʿbān,⁷⁷ 9th of Rabīʿ al-Awwal,⁷⁸ 17th of Rabīʿ al-Awwal,⁷⁹ and the 25th day of Dhū al-Qaʿdah;⁸⁰
4. the *ghusl* for a woman who has used fragrance for other than her husband;
5. the *ghusl* for someone who slept while intoxicated;
6. the *ghusl* for someone who went to see a hanging and actually saw it; however, if he happened to see it by chance, or he had no choice but to see it, or, for example, he had gone to give evidence and saw it, in these cases, this *ghusl* is not recommended;
7. the *ghusl* for the visitation (*ziyārah*) of the Infallibles (*maʿṣūmīn*) from far or near.

It is not established, however, that these *ghusls* are recommended, and someone who wants to perform them must do so with the intention of *rajāʾ* [i.e. with the intention of performing them in the

⁷⁵ The day of Mubālahah.

⁷⁶ The day of the spring equinox.

⁷⁷ The birthday of the Twelfth holy Imam (ʿA).

⁷⁸ Eid al-Zahrāʾ (ʿA).

⁷⁹ The birthday of Prophet Muḥammad (Ṣ) and Imam Jaʿfar al-Ṣādiq (ʿA).

⁸⁰ The day of Dahw al-Ard.

hope that they are desired by Allah].

Ruling 635. If someone performs one of the *ghusls* that has been legally established as being a recommended *ghusl* – such as those mentioned in Ruling 633 – he can perform acts that require *wuḍūʾ*, such as prayers, with that *ghusl*. As for *ghusls* that are performed with the intention of *rajāʾ* – such as those mentioned in Ruling 634 – these do not suffice in place of *wuḍūʾ*.

Ruling 636. It is sufficient for one to perform one *ghusl* with the intention of several different recommended *ghusls*, except for those *ghusls* that have become recommended for one to perform on account of having done something, such as the *ghusl* for touching a corpse that has been given *ghusl*. To consider this type of *ghusl* as sufficing for several different recommended *ghusls* is problematic [i.e. based on obligatory precaution, one must not consider it as sufficing].

DRY ABLUTION (TAYAMMUM)

Tayammum must be performed in place of *wuḍūʾ* or *ghusl* in seven situations [which are set out below].

1. Not having water

Ruling 637. If a person happens to be in a populated area, he must search for water for performing *wuḍūʾ* and *ghusl* until such time that he loses hope in finding water. The same applies if one happens to be staying in a desert, like those who stay in tents. If a person is on a journey in a desert, he must search for water on the way and in the places near to where he is staying. The obligatory precaution is that if the ground is uneven, or, if due to some other reason the road is difficult to traverse – for example, because it has a lot of trees – one must go in search of water in the area around him as far as the distance that a shot arrow travels as it would have been shot from a bow in the past.⁸¹ If the land is even, however, one must go in

⁸¹ There is a difference of opinion [among jurists] regarding the distance a shot arrow travels. The most often quoted distance is 480 cubits, which is equivalent to approximately 220 metres. (See *Minhāj al-Ṣāliḥīn*, vol. 1, p. 113, Ruling 342). [Author]

search of water in the area around him up to the distance that two shot arrows travel.⁸²

Ruling 638. If some of the area around a person is even and some uneven, he must search for water in the even area up to a distance that two shot arrows travel, and in the uneven area up to a distance that one shot arrow travels.

Ruling 639. It is not necessary to search for water in any area in which one is certain there is no water.

Ruling 640. If the time for performing prayers is not short, and one has time to procure water, and he is certain or confident that there is water in a place that is further than the distance he is obliged to go up to in search of water, he must go there to procure water unless it is so far that he would commonly be considered to be someone who does not have water. However, if he merely supposes that there is water in a place, it is not necessary for him to go there.

Ruling 641. It is not necessary for a person to go in search of water himself; rather, he can suffice with the statement of someone who has searched for water and whose word he trusts.

Ruling 642. If someone deems it probable that there is water in his travel luggage, or in his house, or with the group of people he is travelling with, he must search for water in those places until he becomes confident that there is no water or until he loses hope in finding some, except if previously in a particular situation there was no water and now he deems it probable that water will be found, in which case it is not necessary for him to search.

Ruling 643. If a person searches for water before the time for prayers and does not find any, and he remains in that place until the time for prayers, in the event that he deems it probable that he will find water, the recommended precaution is that he should go in search of water again.

⁸² Given the previous footnote, this would equate to approximately 440 metres.

Ruling 644. If a person searches for water after the time for prayers has set in and does not find any, and he remains in that place until the time for the next prayers, in the event that he deems it probable that water will be found, the recommended precaution is that he should go in search of water again.

Ruling 645. If the time for performing prayers is short, or there is a fear of thieves and beasts, or searching for water is so difficult for someone that usually people in his situation would not be able to endure it, it is not necessary to search for water.

Ruling 646. If a person does not go in search of water until the time for performing prayers becomes short, and in case he had gone he would have found some, he will have committed a sin; however, the prayer he performed with *tayammum* is valid.

Ruling 647. If someone is certain that he will not find water and does not go in search of it, and he performs prayers with *tayammum* and afterwards realises that if he had searched for water he would have found some, then based on obligatory precaution, it is necessary for him to perform *wuḍūʾ* and to perform the prayer again.

Ruling 648. If a person does not find water after searching for it and loses hope in finding some and performs prayers with *tayammum*, and afterwards he realises that there was water in the place where he had searched, his prayer is valid.

Ruling 649. If someone who is certain that the time for performing prayers is short does not search for water and performs prayers with *tayammum*, and after his prayers – but before the time for the prayer ends – he realises that he had time to search, the obligatory precaution is that he must perform the prayer again.

Ruling 650. If a person has *wuḍūʾ* and knows that if he invalidates his *wuḍūʾ* it will not be possible to find water or he will not be able to perform *wuḍūʾ*, in the event that he can keep his *wuḍūʾ*, then based on obligatory precaution, he must not invalidate his *wuḍūʾ*, whether that be before or after the time for prayers has set in. However, one can have sexual intercourse with his wife even if he knows that he

will not be able to perform *ghusl*.

Ruling 651. If a person has water that is only sufficient for performing *wuḍū'* or *ghusl* with, and he knows that were he to spill the water he would not be able to find any more, in the event that the time for prayers has set in, it is unlawful for him to spill the water; and the obligatory precaution is that he must not spill it even before the time for prayers has set in.

Ruling 652. If someone who knows he will not find water invalidates his *wuḍū'* or spills the water he has, he commits a sin but his prayer performed with *tayammum* is valid. However, the recommended precaution is that he should make up that prayer afterwards.

2. Not having access to water

Ruling 653. If a person does not have access to water on account of old age, weakness, fear of a thief or an animal and suchlike, or on account of not having the means to draw water out from a well, he must perform *tayammum*.

Ruling 654. If a bucket, rope, or a similar thing is needed for drawing water out from a well and one would need to purchase or hire it, he must do so even if he has to pay much more than the usual price for it. Similarly, if water is being sold at a much higher price [he must purchase it]. However, if purchasing these requires so much money that it would harm him financially, it is not obligatory on him to purchase them.

Ruling 655. If in order to procure water a person has to borrow money, he must do so. However, it is not obligatory to borrow money if one knows or supposes that he will not be able to repay the loan.

Ruling 656. One must dig a well in order to obtain water as long as it is not excessively difficult to do so.

Ruling 657. One must accept water if it is given to him without any obligation.

3. Using water is harmful

Ruling 658. If using water would result in a person dying, or it would make him ill, or inflict him with some defect, or prolong an illness he has, or make his illness worse, or make it difficult to treat, in all of these cases, he must perform *tayammum*. However, if one can reduce the harm of using water – for example, by heating it – he must do so and thereby perform *wuḍūʾ* or *ghusl* as required.

Ruling 659. It is not necessary for one to be certain that water is harmful for him; rather, if he deems it probable that it is harmful, in the event that his deeming it probable would be considered by people to be reasonable, he must perform *tayammum*.

Ruling 660. If someone is certain or deems it probable that water is harmful for him and performs *tayammum*, and before prayers he realises that water is not harmful for him, his *tayammum* is void; and if he realises this after prayers, he must perform the prayer again with *wuḍūʾ* or *ghusl* unless performing *wuḍūʾ* or *ghusl* while being certain of harm, or deeming it probable, would cause an anxiety which would be difficult to endure.

Ruling 661. If someone who is certain that water is not harmful for him performs *ghusl* or *wuḍūʾ*, and afterwards he realises that water was harmful for him, his *wuḍūʾ* or *ghusl* is void.

4. Hardship (*ḥaraj*) and excessive difficulty (*mashaqqah*)

Ruling 662. If procuring water or using it causes someone hardship or excessive difficulty that could not normally be endured, he can perform *tayammum*. However, if he endures it and performs *wuḍūʾ* or *ghusl*, his *wuḍūʾ* or *ghusl* is valid.

5. Needing water to quench thirst

Ruling 663. A person must perform *tayammum* if he needs water to quench his thirst. It is permitted to perform *tayammum* for this reason in two cases:

1. if one uses water for *wuḍū'* or *ghusl*, he will presently or later on become thirsty which will cause him to die or to become ill, or it will require him to endure excessive difficulty;
2. one fears for someone who is dependent on him – even if the person is not among those whose life is legally protected – if the affairs of the person's life matter to him because of his intense affection for the person, or because if the person dies it will harm him financially, or because caring for the person is commonly considered to be necessary, as is the case with a friend or a neighbour.

Apart from these two cases, it is possible for thirst to be a valid reason for performing *tayammum*, but not from the perspective mentioned above; rather, from the perspective that preserving life is obligatory, or because the death or restlessness of someone [resulting from thirst] would assuredly cause one hardship.

Ruling 664. If apart from having pure water for *wuḍū'* or *ghusl* a person also has impure water that is sufficient only for drinking, he must keep the pure water for drinking and perform prayers with *tayammum*. However, in the event that one wants the pure water for those who are dependent on him, he can perform *wuḍū'* or *ghusl* with the pure water even if his dependents are compelled to quench their thirst with the impure water. In fact, if they are unaware of the water being impure, or they do not refrain from drinking impure water, it is necessary for him to use the pure water for *wuḍū'* or *ghusl*. Similarly, if one wants water for his animal or for a child who is not *bāligh*, he must give them the impure water and perform *wuḍū'* or *ghusl* with the pure water.

6. Performing *wuḍū'* or *ghusl* conflicts with another legal responsibility that is more important or just as important

Ruling 665. If someone has a little water and his body or clothing is impure, and if he were to perform *wuḍū'* or *ghusl* with that water there would not be enough left over with which he could wash his body or clothing, he must wash his body or clothing with the water and perform prayers with *tayammum*. However, if one does not have anything with which he can perform *tayammum*, he must use the

water for *wuḍū'* or *ghusl* and perform prayers with his impure body or clothing.

Ruling 666. If a person only has water or a container that is unlawful to use – for example, the water or container is usurped and he does not have any other water or container – he must perform *tayammum* in place of *wuḍū'* and *ghusl*.

7. Shortage of time

Ruling 667. Whenever the time remaining [to perform prayers within their prescribed time] is so little that if one performs *wuḍū'* or *ghusl* he will have to perform the entire prayer or part of it after its time, he must perform *tayammum*.

Ruling 668. If someone intentionally delays the prayer to the extent that he does not have time to perform *wuḍū'* or *ghusl*, he commits a sin but his prayers performed with *tayammum* are valid. However, the recommended precaution is that he should make up that prayer afterwards.

Ruling 669. If a person doubts whether or not he will have time to perform prayers if he performs *wuḍū'* or *ghusl*, he must perform *tayammum*.

Ruling 670. If someone performs *tayammum* due to shortage of time and after the prayer he is able to perform *wuḍū'* but does not, and now he does not have the water he had previously, in such a case, if his duty now is to perform *tayammum*, he must perform *tayammum* again for subsequent prayers even if he has not done anything that invalidates *tayammum*.

Ruling 671. If someone has water but due to shortage of time he starts performing prayers with *tayammum*, and during prayers the water he had is lost, in the event that his duty now is to perform *tayammum*, it is not necessary for him to perform *tayammum* again for subsequent prayers, although it is better that he does.

Ruling 672. If a person has just enough time to perform *wuḍū'* or *ghusl*

and to perform prayers without doing the recommended acts, such as *iqāmah* and *qunūt*, he must perform *ghusl* or *wuḍūʿ* and perform prayers without doing the recommended acts. In fact, if one does not have time to recite even the surah [of the Qurʾān, following the recitation of Surat al-Ḥamd] he must perform *ghusl* or *wuḍūʿ* and perform the prayer without reciting the surah.

THINGS WITH WHICH PERFORMING TAYAMMUM IS VALID (ṢAḤĪḤ)

Ruling 673. Performing *tayammum* with soil, pebbles, a clod of earth, and stone is valid. However, the recommended precaution is that if it is possible to perform *tayammum* with soil, one should not perform it with any other thing; and if soil is not available, [the recommended precaution is to perform *tayammum*] with fine sand that is very soft, such that it can be called 'soil'; and if that is not possible, with a clod of earth; and if that is not possible, with pebbles; and in the event that pebbles and a clod of earth are not available, one must perform *tayammum* with a stone.

Ruling 674. *Tayammum* performed with gypsum or limestone is valid. Similarly, *tayammum* performed with dust that gathers on carpets, clothing, and similar things is also valid provided that its quantity is such that it can commonly be considered to be very fine soil, although the recommended precaution is that if alternatives are available, one should not perform *tayammum* with dust. Similarly, based on recommended precaution, if alternatives are available, one should not perform *tayammum* with gypsum and limestone that have been baked, nor with brick that has been baked, nor with mineral stones such as agate ('*aqīq*).

Ruling 675. If a person cannot find soil, pebbles, a clod of earth, or stone, he must perform *tayammum* with mud; and if one cannot find any mud, he must perform *tayammum* on top of a carpet, clothing, or similar thing that has gathered dust or on which dust has settled but not to the extent that it can commonly be considered to be soil; and if none of these can be found, the recommended precaution is that one

should perform prayers without performing *tayammum*. However, it is obligatory on him to make it up afterwards.

Ruling 676. If a person can gather soil by shaking a carpet and similar things, then performing *tayammum* with something that is merely dusty is invalid. Similarly, if one can dry some mud and procure soil from it, then performing *tayammum* with mud is invalid.

Ruling 677. If someone does not have water but does have snow or ice, in the event that it is possible for him to do so, he must melt it and perform *wuḍū'* or *ghusl* with it; and if it is not possible and he does not have anything with which *tayammum* can be validly performed, it is necessary for him to make up the prayer after its time; and it is better that he wets with snow or ice those parts of the body on which *wuḍū'* or *ghusl* is performed, and in the case of *wuḍū'*, he should wipe his head and feet with the wetness on his hands; and if this is not possible, he should perform *tayammum* with snow or ice and perform the prayer within its time. In both cases, it is necessary for him to make up the prayer afterwards.

Ruling 678. If something like straw – with which performing *tayammum* is invalid – becomes mixed with soil or pebbles, one cannot perform *tayammum* with it. However, if the quantity of that thing [such as straw] is so little that it is considered to have disappeared in the soil or pebbles, then performing *tayammum* with that soil or pebbles is valid.

Ruling 679. If a person does not have anything with which to perform *tayammum*, in the event that it is possible, he must procure it by purchasing it and suchlike.

Ruling 680. Performing *tayammum* with a mud wall is valid; and the recommended precaution is that if there is dry earth or soil, one should not perform *tayammum* with damp earth or soil.

Ruling 681. The thing with which a person performs *tayammum* must be pure (*tāhir*); and based on obligatory precaution, it must also be commonly considered to be clean, meaning that it must not be tainted with anything that causes disgust; and if one does not have

a pure thing with which *tayammum* can be validly performed, then performing prayers at that time is not obligatory on him; however, he must make up that prayer; and it is better that he also performs the prayer within its time, except if the situation has reached the point whereby he must perform *tayammum* with a dusty carpet or a similar thing;⁸³ and if it is impure, the obligatory precaution is that he must perform *tayammum* with it, perform the prayer, and afterwards make up the prayer.

Ruling 682. If someone is certain that performing *tayammum* with a particular thing is valid and he does so, and afterwards he realises that performing *tayammum* with that thing is invalid, he must perform the prayers he had performed with that *tayammum* again.

Ruling 683. The thing with which one performs *tayammum* must not be usurped; therefore, if one performs *tayammum* with usurped soil, his *tayammum* is invalid.

Ruling 684. *Tayammum* performed in a usurped area is not invalid; therefore, if a person strikes his hands on soil belonging to him, and then enters the property of another person without permission and wipes his hands on his forehead, his *tayammum* is valid even though he will have committed a sin.

Ruling 685. If a person forgetfully or neglectfully performs *tayammum* with a usurped thing, his *tayammum* is valid. However, if that thing has been usurped by him and he forgets that he has usurped it, then considering his *tayammum* as being valid is problematic [i.e. based on obligatory precaution, his *tayammum* is not considered to be valid].

Ruling 686. If a person is imprisoned in a usurped place and both the water and the soil of that place are usurped, he must perform prayers with *tayammum*.

Ruling 687. Based on obligatory precaution, the thing with which one performs *tayammum* must have dust on it that will stay on the

⁸³ See Ruling 675.

palms; and after striking one's hands on it, he must not shake his hands vigorously causing all the dust to fall off.

Ruling 688. It is disapproved to perform *tayammum* with the earth of a pit, and with the soil of a road, and with the ground of a salt marsh on which salt has not settled; and if salt has settled on it, the *tayammum* is invalid.

METHOD OF PERFORMING TAYAMMUM IN PLACE OF WUḌŪ' OR GHUSL

Ruling 689. Three things are obligatory when performing *tayammum* in place of *wuḏū'* or *ghusl*:

1. striking or placing the palms of both hands on something with which *tayammum* can be validly performed; and based on obligatory precaution, the striking of both palms must be done simultaneously;
2. wiping the palms of both hands over the entire forehead from the place where the hair of the head grows to the eyebrows and above the nose. Similarly, [the palms of both hands must be wiped] over the two sides of the forehead, based on obligatory precaution; and the recommended precaution is that the palms should be wiped over the eyebrows as well;
3. wiping the palm of the left hand over the whole of the back of the right hand, and wiping the palm of the right hand over the whole of the back of the left hand; and the obligatory precaution is that the aforementioned order must be observed [i.e. first the back of the right hand must be wiped and then the back of the left].

It is necessary that *tayammum* be performed with the intention of attaining proximity to Allah, just as it was mentioned with regard to performing *wuḏū'*.⁸⁴

⁸⁴ See the sixth condition for the validity of *wuḏū'* and Ruling 281.

Ruling 690. The recommended precaution is that *tayammum* – whether it be in place of *wuḍūʾ* or in place of *ghusl* – be performed in this manner: (1) the palms are struck on the ground once and are wiped over the forehead and the back of the hands; and (2) they are then struck again on the ground and are wiped over the back of the hands.

LAWS OF TAYAMMUM

Ruling 691. If a person fails to wipe even a small area of his forehead or the back of his hands, his *tayammum* is invalid, irrespective of whether he fails to wipe the area intentionally, or because he did not know the ruling, or because he had forgotten to wipe it. However, it is not necessary to be very particular either, and it is sufficient if it can be said that the entire forehead and back of the hands have been wiped.

Ruling 692. If someone is not certain that he has wiped all of the back of his hand, then, in order to be certain, he must wipe an area a little higher than his wrist as well. However, it is not necessary to wipe in-between the fingers.

Ruling 693. Based on obligatory precaution, the forehead and the back of the hands must be wiped from top to bottom [i.e. the forehead must be wiped in a direction towards the eyebrows and above the nose, and the back of the hands must be wiped in a direction towards the fingertips]. These actions must be performed one after the other, and if there is a delay between performing them such that it cannot be said that one is performing *tayammum*, the *tayammum* is invalid.

Ruling 694. When making the intention to perform *tayammum*, it is not necessary for one to specify whether the *tayammum* is in place of *ghusl* or *wuḍūʾ*. However, in cases where two *tayammums* must be performed, it is necessary to specify each one of them [in one's intention]; and in the event that one *tayammum* is obligatory on a person and he makes the intention that he is performing his current duty, then even if he makes a mistake in determining his duty, his *tayammum* is valid.

Ruling 695. In *tayammum* it is not necessary for one's forehead, the palms of his hands, and the back of his hands to be pure, although it is better if they are.

Ruling 696. One must remove any rings from his fingers when wiping over his hands; and if there is any obstruction on his forehead, the back of his hands, or on his palms – for example, something is stuck on them – he must remove it.

Ruling 697. If there is a wound on one's forehead or on the back of his hands and the cloth or something else that is tied over it cannot be untied, he must wipe his hands over it; and if there is a wound on the palms of his hands and the cloth or something else that is tied over it cannot be untied, one must strike his hands on something with which *tayammum* can be validly performed with the same cloth tied over the wound and wipe over his forehead and the back of his hands. However, if part of the cloth is open, then striking and wiping with that open part is sufficient.

Ruling 698. There is no problem if there is a normal amount of hair on one's forehead and on the back of his hands. However, if the hair of one's head drops over onto his forehead, he must draw it back.

Ruling 699. If a person deems it probable that there is an obstruction on his forehead, on the palms of his hands, or on the back of his hands, in the event that his deeming it probable would be considered by people to be reasonable, he must look into this until he becomes certain or confident that there is no obstruction.

Ruling 700. If someone's duty is to perform *tayammum* but he cannot perform it on his own, he must get help from someone else. The helper must take the *mukallaf's* hands and strike them on something with which *tayammum* can be validly performed; then, the helper must place the *mukallaf's* hands on the *mukallaf's* forehead and on the back of the *mukallaf's* hands so that the *mukallaf* himself wipes the palms of his two hands over his forehead and over the back of his hands, if it is possible for him to do so; and if it is not possible, the helper must perform *tayammum* on the *mukallaf* with the *mukallaf's* own hands [i.e. after the helper has placed the *mukallaf's* hands on

the *mukallaf's* forehead and on the back of the *mukallaf's* hands, the helper must draw the *mukallaf's* hands over his forehead and over the back of his hands]; and if this is not possible, the helper must strike his own hands on something with which *tayammum* can be validly performed and wipe them over the *mukallaf's* forehead and over the back of his hands. In these two cases, based on obligatory precaution, both of them must make the intention of *tayammum*. However, in the first case [where the *mukallaf's* own hands are used], it is sufficient if only the *mukallaf* makes this intention.

Ruling 701. If while performing *tayammum* one doubts whether or not he has forgotten a certain part of it, in the event that he has passed that stage [i.e. he has performed that particular part of *tayammum*], he must not give heed to his doubt; and if one has not passed that stage, he must perform that stage.

Ruling 702. If after wiping the left hand one doubts whether or not he has correctly performed *tayammum*, his *tayammum* is valid; and in the event that one's doubt is about the wiping of the left hand, it is necessary for him to wipe it unless it can commonly be said that he has completed performing *tayammum*; for example, he has started to perform an act that requires purification [such as prayers], or the close succession (*muwālāh*) [in performing *tayammum*] has not been maintained.

Ruling 703. If someone whose duty is to perform *tayammum* loses hope in his legitimate excuse [for performing *tayammum* in place of *wuḍū'* or *ghusl*] expiring during the entire length of time for prayers, or, if he deems it probable that if he delays performing *tayammum* he will not be able to perform *tayammum* in time, he can perform *tayammum* before the time for prayers has set in; and if one performs *tayammum* for another obligatory or recommended act and his legitimate excuse remains valid until the time of prayer has set in, he can perform the prayer with that *tayammum*.

Ruling 704. If someone whose duty is to perform *tayammum* knows that his legitimate excuse will remain valid until the end of the time for prayers, or, if he loses hope in his legitimate excuse expiring, he can perform prayers with *tayammum* at any point during the

entire length of time for the prayer. However, if one knows that his legitimate excuse will expire by the end of the time for prayers, he must wait and perform the prayer with *ghusl* or *wuḍūʿ*. If a person does not lose hope in his legitimate excuse expiring by the end of the time for prayers, he cannot perform *tayammum* and perform the prayer until the time that he loses hope unless he deems it probable that if he does not perform the prayer with *tayammum* earlier, he will not be able to perform the prayer by the end of its time even with *tayammum*.

Ruling 705. If someone who cannot perform *wuḍūʿ* or *ghusl* loses hope in his legitimate excuse expiring, he can perform his *qaḍāʿ* prayers with *tayammum*. However, if afterwards his legitimate excuse expires, the obligatory precaution is that he must perform his *qaḍāʿ* prayers again with *wuḍūʿ* or *ghusl*; and if he does not lose hope in his legitimate excuse expiring, then based on obligatory precaution, he cannot perform *tayammum* for *qaḍāʿ* prayers.

Ruling 706. It is permitted for someone who cannot perform *wuḍūʿ* or *ghusl* to perform recommended prayers that have a specific time – such as the daily supererogatory (*nāfilah*) prayer – with *tayammum*. However, if one does not lose hope in his legitimate excuse expiring before the end of the time for such prayers, the obligatory precaution is that he must not perform them at the start of their time. Recommended prayers that do not have a specific time can be performed with *tayammum* at any time.

Ruling 707. If someone performs *jabīrah ghusl* and *tayammum* as a precautionary measure, and after performing *jabīrah ghusl* and *tayammum* he performs a prayer, and after performing the prayer he has a minor occurrence⁸⁵ – for example, he urinates – in such a case, for subsequent prayers he must perform *wuḍūʿ*; and in the event that the occurrence happens before prayers, he must perform *wuḍūʿ* for that prayer as well.

Ruling 708. If someone performs *tayammum* because he did not have water or because of some other legitimate excuse, then once that

⁸⁵ See the footnote pertaining to Ruling 384 for an explanation of this term.

excuse expires, his *tayammum* becomes void.

Ruling 709. The things that invalidate *wuḍū'* also invalidate *tayammum* performed in place of *wuḍū'*; and the things that invalidate *ghusl* also invalidate *tayammum* performed in place of *ghusl*.

Ruling 710. If someone cannot perform *ghusl* and a few *ghusls* are obligatory on him, it is permitted for him to perform one *tayammum* in place of all of them; but the recommended precaution is that he should perform one *tayammum* in place of each *ghusl*.

Ruling 711. If someone who cannot perform *ghusl* wants to perform an act for which *ghusl* is obligatory, he must perform *tayammum* in place of *ghusl*; and if someone who cannot perform *wuḍū'* wants to perform an act for which *wuḍū'* is obligatory, he must perform *tayammum* in place of *wuḍū'*.

Ruling 712. If someone performs *tayammum* in place of the *ghusl* for *janābah*, it is not necessary for him to perform *wuḍū'* for prayers. Similarly, if the *tayammum* is in place of other *ghusls* [it is not necessary for him to perform *wuḍū'* for prayers], although in such a case, the recommended precaution is that he should perform *wuḍū'* as well; and if he cannot perform *wuḍū'*, he should perform another *tayammum* in place of *wuḍū'*.

Ruling 713. If someone performs *tayammum* in place of *ghusl* and afterwards something happens that invalidates *wuḍū'*, in the event that he cannot perform *ghusl* for subsequent prayers, he must perform *wuḍū'*; and the recommended precaution is that he should also perform *tayammum*; and if he cannot perform *wuḍū'*, he must perform *tayammum* instead.

Ruling 714. If someone's duty is to perform *tayammum* and he performs it for some act, then as long as his *tayammum* and the legitimate excuse remain valid, he can perform those acts that must be performed with *wuḍū'* or *ghusl*. However, if his legitimate excuse was shortage of time, or, if despite having water he performed *tayammum* for *ṣalāt al-mayyit* or for sleeping, then with that *tayammum* he can perform only those acts for which he performed *tayammum*.

Ruling 715. In some cases, it is better for one to make up the prayers he performed with *tayammum*:

1. he was fearful of using water and intentionally became *junub* and performed prayers with *tayammum*;
2. he knew or supposed that he would not find water and intentionally became *junub* and performed prayers with *tayammum*;
3. he intentionally did not go in search of water until the end of the time for prayers and performed prayers with *tayammum* and afterwards realised that if he had searched for water, he would have found it;
4. he intentionally delayed performing prayers and performed them with *tayammum* at the end of their time;
5. he knew or supposed that water would not be found and spilled the water he had and performed prayers with *tayammum*.

CHAPTER THREE

Prayer (*Ṣalāh*)

Prayer is the best act of worship; if it is accepted by the Lord of the worlds, then all other acts of ritual worship are accepted; and if it is not accepted, then all other acts of ritual worship are not accepted. In the same way that no dirt would remain on one's body if he were to wash himself in a stream five times in a day, performing the five daily prayers cleanses a person of sins. It is befitting for one to perform prayers at the start of their prescribed time (*awwal al-waqt*), and one who considers prayers lowly and unimportant is like one who does not perform prayers. The most noble Prophet (ﷺ) said: 'One who does not give importance to prayers and considers them unimportant deserves chastisement in the hereafter.' Once, when His Eminence (ﷺ) was in the mosque, a man entered and began performing prayers but did not perform the bowing (*rukū'*) and prostration (*sajdah*) properly. His Eminence (ﷺ) said: 'If this man dies while his prayers are like this, he will not leave this world adhering to my religion.'

Therefore, one must be careful not to perform prayers in a hurry; and while performing prayers, one should remember Allah, be humble, submissive, dignified, and mindful of whom he is communicating with; and he should consider himself extremely low and insignificant in relation to the greatness and grandeur of the Lord of the worlds. If a person is completely mindful of this matter while performing prayers, he will become oblivious to his own self, just as the Commander of the Faithful, 'Alī (ʿA), was when an arrow was pulled out from his blessed foot while he was performing prayers. Furthermore, one must repent and seek forgiveness and not commit sins that are obstacles to prayers being accepted; sins such as jealousy, pride, backbiting, eating unlawful (*ḥarām*) things, drinking intoxicating beverages, and not paying the one-fifth tax (*khums*) or the alms-tax (*zakat*). In fact, one must refrain from all sins. Similarly, it is befitting that one does not do anything that diminishes the reward of prayers; for example, one should not perform prayers while sleepy or needing to go to the toilet, nor should one look at the sky while performing prayers. Instead, one should do things that increase the reward of prayers; for example, one should wear a ring with an agate (*'aqīq*) stone, wear clean clothes, comb his hair, brush his teeth, and apply perfume.

THE OBLIGATORY (WĀJIB) PRAYERS

There are six obligatory prayers:

1. the daily prayers;
2. the prayer of signs (*ṣalāt al-āyāt*);
3. the funeral prayer (*ṣalāt al-mayyit*);
4. the prayer for the obligatory circumambulation (*ṭawāf*) of the Ka'bah;
5. the lapsed (*qaḍā'*) prayers of one's father that, based on obligatory precaution (*al-iḥtiyāṭ al-wājib*), are obligatory on the eldest son to perform;
6. prayers that become obligatory on account of hire (*ijārah*), vow (*nadhr*), oath (*qasam*), or covenant (*'ahd*).

The Friday prayer (*ṣalāt al-jumu'ah*) is regarded as one of the daily prayers.

THE OBLIGATORY DAILY PRAYERS

There are five obligatory daily prayers: (1) midday (*ẓuhr*) and (2) afternoon (*'aṣr*) prayers – each of these are four units (*rak'ahs*); (3) at sunset (*maghrib*), which is three *rak'ahs*; (4) evening (*'ishā'*), which is four *rak'ahs*; and (5) morning (*ṣubḥ*), which is two *rak'ahs*.

Ruling 716. While travelling, one must perform the four *rak'ah* prayers as two *rak'ahs* in accordance with the conditions that will be mentioned later.

THE TIME FOR THE MIDDAY (ẒUHR) AND AFTERNOON ('AṢR) PRAYER

Ruling 717. The time for *ẓuhr* and *'aṣr* prayers is from *zawāl* [i.e. the time after midday when the sun begins to decline] (known as the

'legal midday' (*al-ẓuhr al-shar'ī*)¹ until sunset. However, in the event that one intentionally (*'amdan*) performs the 'aṣr prayer before the ẓuhr prayer, his prayer is invalid (*bāṭil*), except if this happens at the end of the prescribed time and there is room for performing only one prayer, in which case if someone has not performed the ẓuhr prayer by then, his ẓuhr prayer is deemed to have become *qaḍā'* and he must perform the 'aṣr prayer. If before this time someone mistakenly performs the whole of the 'aṣr prayer before the ẓuhr prayer, his prayer is valid (*ṣaḥīḥ*), and he must then perform the ẓuhr prayer. And the recommended precaution (*al-iḥtiyāt al-mustaḥabb*) is that he should perform the second set of four *rak'ahs* with the intention (*niyyah*) to fulfil whatever his legal obligation happens to be (*mā fī al-dhimmah*).

Ruling 718. If someone inadvertently (*sahwan*) starts performing the 'aṣr prayer before he has performed the ẓuhr prayer, and he realises this mistake in the middle of the prayer, he must change his intention to ẓuhr prayers, i.e. he must make the intention that whatever I have performed until now, and whatever I am performing right now, and whatever I will perform, is all part of the ẓuhr prayer. After completing the prayer, he must perform the 'aṣr prayer.

THE FRIDAY PRAYER (ṢALĀT AL-JUMU'AH) AND ITS LAWS

Ruling 719. The Friday prayer consists of two *rak'ahs* like the ṣubḥ prayer, with the difference that in the Friday prayer, two sermons must be delivered before it. The Friday prayer is an optional obligation (*al-wājib al-takhyīrī*), meaning that on Fridays, someone who is legally obliged to fulfil religious duties (*mukallaf*) has the option to either perform the Friday prayer – if all its conditions are fulfilled – or to perform the ẓuhr prayer; and if he performs the Friday prayer, it will suffice in place of the ẓuhr prayer.

Some conditions must be met in order for the Friday prayer to be obligatory:

¹ The legal midday is defined as the passing of the midway point of the day. For example, if the day is twelve hours long, the legal midday is after the passing of six hours from the time of sunrise. If the day is thirteen hours long, the legal midday

1. the time for the prayer must have set in. This refers to the time of *zawāl*, or in other words, the time of *ẓuhr*.² Furthermore, the time for the Friday prayer is that which is commonly regarded to be the beginning of *zawāl*; therefore, if the Friday prayer is delayed beyond this time, its time is deemed to be over and the *ẓuhr* prayer must be performed instead;
2. the number of people must be at least five, including the imam. If five Muslims do not gather, the Friday prayer does not become obligatory;
3. there must be an imam who meets all the conditions, such as being just (*ʿādil*) and all the other qualities that are required of an imam, which will be mentioned in the section on congregational (*jamāʿah*) prayers.³ In the absence of an imam, the Friday prayer does not become obligatory.

Some conditions must be met for the Friday prayer to be valid:

1. it must be performed in congregation; therefore, it is not correct (*ṣaḥīḥ*) to perform it on one's own (*furādā*). If the follower (*ma'mūm*) of an imam in congregational prayers joins the prayer before the *rukū'* of the second *rak'ah* of the Friday prayer and performs one more *rak'ah* on his own, his Friday prayer is valid. However, if one joins in the *rukū'* of the second *rak'ah*, then based on obligatory precaution, he cannot suffice with this Friday prayer and he must perform *ẓuhr* prayers;
2. the imam must deliver two sermons before the prayer. In the first sermon, he must praise Allah, exhort the people to God-wariness (*taqwā*), and recite a short chapter (*surah*) from the Qur'an. In the second sermon, again he must praise Allah, and he must pray for blessings to be showered upon the most noble Messenger (Ṣ) and the infallible Imams (ʿA); and the recommended precaution is that he should seek forgiveness for the believers. Furthermore, it is necessary that the sermons be delivered before the prayer; therefore, if the imam starts the prayer before the two sermons, it is incorrect. Delivering the sermons before *ẓuhr* time is problematic (*maḥall al-ishkāl*) [i.e.

is after the passing of six and a half hours from the time of sunrise. [Author]

² See Ruling 717.

³ See Rulings 1433–1439.

- based on obligatory precaution, it is not correct].⁴ In addition, it is necessary that the person delivering the sermons be in a standing position; therefore, if he delivers the sermons in a sitting position, it is incorrect. It is also necessary that he sits down a little between the two sermons and that his sitting be short and light. Furthermore, based on obligatory precaution, it is necessary that the imam of the congregation delivers the sermons himself, and that he praises Allah and prays for blessings to be showered upon the most noble Messenger (Ṣ) and the infallible Imams (ʿA) in the Arabic language; however, saying other things of the sermons in Arabic is not a requirement. Indeed, if most of the congregation do not understand Arabic, then the obligatory precaution is that exhorting the people to God-wariness must be said in the language of the congregation;
3. the distance between two Friday prayers must not be less than one *farsakh*;⁵ therefore, if another Friday prayer takes place at a distance of less than 3.4 miles, then, in the event that both prayers commenced together, both are invalid. And if one of them commences before the other – even to the extent of the *takbīrat al-iḥrām*⁶ – it is valid and the second one is invalid. However, if after a Friday prayer has taken place it becomes known that another Friday prayer took place at the same time or before it at a distance of less than 3.4 miles, it is not obligatory to perform the *ẓuhr* prayer. Furthermore, a Friday prayer can only have a prohibitive effect on another one taking place within the stipulated distance if it is a valid Friday prayer and fulfils all the conditions; otherwise, it does not have any prohibitive effect.

Ruling 720. Whenever the Friday prayer takes place with all its conditions fulfilled, if the one establishing it is the infallible Imam (ʿA) or his specific representative, it is obligatory to attend it; otherwise, it is not obligatory. In the first situation, however, it is not obligatory on the following groups of people to attend:

⁴ As mentioned in Ruling 6, the term ‘problematic’ (*maḥall al-ishkāl*) amounts to saying the ruling is based on obligatory precaution.

⁵ A *farsakh* is a measure of distance equivalent to approximately 5.5 kilometres, or 3.4 miles.

⁶ Saying ‘*allāhu akbar*’ at the beginning of the prayer.

1. women;
2. slaves;
3. travellers, even those travellers whose duty is to perform the complete (*tamām*) form of the prayer, such as those who have made an intention to stay [at their destination for ten or more days];
4. the sick, blind, and aged;
5. those who are more than two *farsakhs* [6.8 miles] from a place of Friday prayer;
6. those who find it difficult and hard to attend the Friday prayer on account of rain, severe cold, or suchlike.

Ruling 721. If the Friday prayer is obligatory on someone but he performs the *ẓuhr* prayer instead, his prayer is valid.

SOME LAWS CONCERNING THE FRIDAY PRAYER

1. Taking into consideration what was mentioned above – namely that the Friday prayer is not a fixed obligation (*al-wājib al-ta'yīnī*)⁷ during the time of the occultation (*ghaybah*) – it is permitted (*jā'iz*) to hasten for performing the *ẓuhr* prayer at the start of its prescribed time.
2. Talking while the imam is delivering the sermons is disapproved (*makrūh*); and if it prevents others from listening to the sermons, then based on obligatory precaution, it is not permitted.
3. Based on obligatory precaution, listening to the two sermons is obligatory; however, it is not obligatory on those who do not understand the sermons to listen to them.
4. It is not obligatory to be present at the time of the imam's sermons.

⁷ This is an act of worship for which there is no alternative act that a *mukallaf* could perform instead. The Friday prayer is not a fixed obligation during the time of the occultation because the *ẓuhr* prayer can be performed in its place.

THE TIME FOR THE PRAYER AT SUNSET (MAGHRIB) AND THE EVENING ('ISHĀ') PRAYER

Ruling 722. If a person doubts (i.e. has a *shakk*) whether the sun has set or not and deems it probable that it is hidden behind mountains, buildings, or trees, he must not perform the *maghrib* prayer before the redness of the sky in the east – which appears after sunset – has passed overhead. Even if one does not have such a doubt, he must, based on obligatory precaution, wait until the aforementioned time.

Ruling 723. For a person under normal circumstances, the time for the *maghrib* prayer is until midnight, but for a helpless person – who due to forgetfulness, oversleeping, menstruation (*ḥayḍ*), or suchlike did not perform prayers before midnight – the time for *maghrib* and '*ishā*' prayers is extended until dawn. However, in both cases, the proper order between the two prayers must be observed, meaning that if the '*ishā*' prayer is knowingly performed before the *maghrib* prayer, it is invalid unless the time remaining is sufficient only for performing the '*ishā*' prayer, in which case it is necessary that one performs the '*ishā*' prayer before the *maghrib* prayer.

Ruling 724. If someone mistakenly performs the '*ishā*' prayer before the *maghrib* prayer and realises his mistake after the prayer, his prayer is valid and he must perform the *maghrib* prayer after it.

Ruling 725. If before performing the *maghrib* prayer one inadvertently engages in performing the '*ishā*' prayer and realises during the prayer that he has made a mistake, in the event that he has not performed the *rukū'* of the fourth *rak'ah*, he must change his intention to the *maghrib* prayer, complete the prayer, and then perform the '*ishā*' prayer. However, if he has performed the *rukū'* of the fourth *rak'ah*, he can complete the '*ishā*' prayer and then perform the *maghrib* prayer.

Ruling 726. As previously mentioned, the time for the '*ishā*' prayer for a person under normal circumstances ends at midnight. The night is the period from the beginning of sunset until dawn.

Ruling 727. If someone wilfully does not perform *maghrib* or '*ishā*'

prayers by midnight, he must, based on obligatory precaution, perform them before the time of the morning call to prayer (*adhān*) without making the intention of whether he is performing them in their prescribed time or not (*adā'* or *qadā'*).

THE TIME FOR THE MORNING (ṢUBḤ) PRAYER

Ruling 728. Near the time of the morning call to prayer, a whiteness in the sky moves upwards from the east, which is called 'the first dawn'. When that whiteness spreads, it is 'the second dawn', which is the start of the prescribed time for the morning prayer. The end of the time for the morning prayer is when the sun rises.

LAWS RELATING TO THE TIME OF PRAYERS

Ruling 729. One can start performing prayers when he attains certainty (*yaqīn*) that the time has set in, or when two just men inform him that the time has set in. In fact, one can conclude that the time for the morning prayer has set in if he hears the *adhān* said by someone whom he knows is extremely careful in observing the time of prayers, or if he is informed by such a person, provided that he derives confidence (*iṭmi'nān*) from it.

Ruling 730. If due to a personal impediment, such as blindness or being imprisoned, a person cannot perform prayers at the start of their prescribed time on account of being unable to attain certainty in the time having set in, he must delay his prayers until he is certain or confident that the time has set in. The same applies, based on obligatory precaution, if the impediment to one attaining certainty in the time having set in is due to non-personal hindrances, such as clouds, dust, or similar things.

Ruling 731. If through one of the ways that were mentioned previously it becomes established for someone that the time for prayers has set in and he starts to perform his prayer, and during the prayer he realises that the time has not set in yet, his prayer is invalid. The same applies if he realises after the prayer that he performed the entire prayer

before the time had set in. However, if during the prayer he realises that the time has set in, or, if he realises after the prayer that during the prayer the time had set in, his prayer is valid.

Ruling 732. If a person is unaware of the fact that he must be certain that the time for prayers has set in and he starts performing the prayer, in the event that after the prayer he realises that he had performed the entire prayer within its time, his prayer is valid. However, if he realises that he performed the prayer before the time had set in, or, if he does not know whether he had performed the prayer within its time or before it, his prayer is invalid. In fact, if he realises after the prayer that the time had set in during the prayer, he must perform that prayer again.

Ruling 733. If a person is certain that the time has set in and starts his prayer, and during the prayer he doubts whether the time has set in or not, his prayer is invalid. However, if during the prayer he was certain that the time had set in and doubts after completing the prayer whether the prayer he performed was within the time or not, his prayer is valid.

Ruling 734. If the time remaining for prayers is so little that by performing some of the recommended (*mustaḥabb*) acts of the prayer a part of the prayer would have to be performed after its prescribed time, one must not perform those recommended acts. For example, if by performing the supplication that is recited with the hands placed in front of the face (*qunūt*) a part of the prayer would have to be performed after its prescribed time, he must not perform *qunūt*. Furthermore, if he does perform that recommended act, his prayer is valid only if at least one *rak'ah* of it was performed within the prescribed time.

Ruling 735. Someone who has time to perform one *rak'ah* of the prayer must perform the prayer with the intention of *adā'*²; however, he must not intentionally delay the prayer until this time.

Ruling 736. If someone who is not a traveller has time until sunset to perform five *rak'ahs*, he must perform the *zuhr* and *'aṣr* prayers in sequence; and if he has less time than this, he must first perform the

'aṣr prayer and thereafter the *ẓuhr* prayer with the intention of *qaḍā'*. Similarly, if one has time until midnight to perform five *rak'ahs*, he must perform the *maghrib* and '*ishā'* prayers in sequence; and if he has less time than this, he must first perform the '*ishā'* prayer and thereafter the *maghrib* prayer without making the intention of *adā'* or *qaḍā'*.

Ruling 737. If someone who is a traveller has time until sunset to perform three *rak'ahs*, he must perform the *ẓuhr* and 'aṣr prayers in sequence; and if he has less time than this, he must first perform the 'aṣr prayer and thereafter the *ẓuhr* prayer with the intention of *qaḍā'*. If a person has time until midnight to perform four *rak'ahs*, he must perform the *maghrib* and '*ishā'* prayers in sequence; and if he has time to perform only three *rak'ahs*, he must first perform the '*ishā'* prayer and then the *maghrib* prayer so that he has performed one *rak'ah* of the *maghrib* prayer within its time. If he has time for less than three *rak'ahs*, he must first perform the '*ishā'* prayer and thereafter the *maghrib* prayer without making the intention of *adā'* or *qaḍā'*; and in the event that after performing the '*ishā'* prayer he realises that there is still time until midnight for one or more *rak'ahs*, he must immediately perform the *maghrib* prayer with the intention of *adā'*.

Ruling 738. It is recommended that one performs prayers at the start of their prescribed time; this is something that has been highly advised. The nearer to the start of the prescribed time, the better, unless delaying the prayer is better for some reason; for example, someone waits a little while in order to perform the prayer in congregation, on condition that it does not pass the prime time (*waqt al-faḍīlah*).⁸

Ruling 739. Whenever someone has a legitimate excuse ('*udhr*) that obliges him to perform his prayer with dry ablution (*tayammum*), if he wants to perform his prayer at the start of its prescribed time, in the event that he is not hopeful of his excuse expiring, or he deems it probable that even if he delays performing *tayammum* he will still be unable [to perform his prayer with ablution (*wuḍū'*)], in such a case, he can perform *tayammum* at the start of its prescribed time

⁸ This refers to the early period of the prescribed time for a prayer during which there is more reward for performing it.

and perform his prayer. However, if he is hopeful, he must wait until his excuse expires or until he loses hope; and in the event that his excuse does not expire, he must perform his prayer at the end of its prescribed time. Furthermore, it is not necessary that he waits until he has time to perform only the obligatory acts of the prayer; rather, if he has time, he can perform *tayammum* and perform his prayer with the recommended acts, such as *adhān*, the call to stand for prayer (*iqāmah*), and *qunūt*. In the case of excuses other than those for which one can perform *tayammum*, even if one is hopeful that the excuse will expire, it is permitted to perform prayers at the start of their prescribed time; however, in the event that the excuse expires within the prescribed time, it is necessary to repeat the prayer in some cases.

Ruling 740. If someone does not know the rulings (*masā'il*) of prayers and cannot perform prayers correctly without learning the rulings, or, if he does not know what to do about doubts that arise in prayers (*shakkiyyāt*) and about acts that are inadvertently left out (*sahwiyyāt*), and if he deems it probable that one of these issues will arise in his prayer and on account of not learning the rulings he will not perform an obligatory act or he will commit an unlawful act, in these cases, he must delay his prayer from the start of its prescribed time in order to learn the rulings. However, if he begins to perform his prayer at the start of its prescribed time with the hope that he will perform it correctly, and if during the prayer a problem for which he does not know the rule does not arise, his prayer is valid. However, if a problem for which he does not know the ruling arises, it is permitted for him to act according to the more probable of two possibilities [concerning what he thinks the correct ruling is] in the hope that his responsibility is fulfilled, and to complete the prayer; and after the prayer, he must find out about the ruling; and if his prayer was invalid he must perform it again, and if it was valid it is not necessary for him to repeat it.

Ruling 741. If there is ample time for prayers and a creditor asks to be paid what he is owed, one must first pay his debt and then perform his prayer, if this is possible. Similarly, if some other obligation arises that must be performed immediately – for example, one sees that the mosque has become impure (*najis*) – he must first purify the mosque and then perform his prayer. In both cases, in the event that he first

performs his prayer, he commits a sin but his prayer is valid.

PRAYERS THAT MUST BE PERFORMED IN ORDER

Ruling 742. One must perform the *‘aṣr* prayer after the *ẓuhr* prayer, and the *‘ishā*’ prayer after the *maghrib* prayer; and if someone intentionally performs *‘aṣr* before *ẓuhr* or *‘ishā*’ before *maghrib*, the prayer is invalid.

Ruling 743. If a person starts to perform prayers with the intention of the *ẓuhr* prayer and while performing it realises that he has already performed the *ẓuhr* prayer, he cannot change his intention to the *‘aṣr* prayer. Instead, he must break his prayer and perform the *‘aṣr* prayer; and the same applies to *maghrib* and *‘ishā*’ prayers.

Ruling 744. If a person becomes certain during the *‘aṣr* prayer that he has not performed the *ẓuhr* prayer and he changes his intention to the *ẓuhr* prayer, in the event that he remembers that he has actually performed the *ẓuhr* prayer, he can revert his intention to the *‘aṣr* prayer and complete the prayer provided that he has not performed any obligatory components of the prayer with the intention of the *ẓuhr* prayer; but if he has, he must perform them again with the intention of the *‘aṣr* prayer. However, if the act is an obligatory component of the *rak‘ah*, his prayer in both cases is invalid. Similarly, if the act is a *rukū‘*, or two *sajdahs* in one *rak‘ah*, then based on obligatory precaution, his prayer is invalid.

Ruling 745. If a person doubts during the *‘aṣr* prayer whether he has performed the *ẓuhr* prayer or not, he must complete the prayer with the intention of the *‘aṣr* prayer and thereafter perform the *ẓuhr* prayer. However, if the time is so little that after completing the prayer the sun will set and there will not be enough time remaining to perform even one *rak‘ah*, it is not necessary to make up the *ẓuhr* prayer afterwards.

Ruling 746. If a person doubts during the *‘ishā*’ prayer whether he has performed the *maghrib* prayer or not, he must complete the prayer with the intention of the *‘ishā*’ prayer and thereafter perform the

maghrib prayer. However, if the time is so little that after completing the prayer the time will end and there will be not be enough time remaining to perform even one *rak'ah*, it is not necessary to make up the *maghrib* prayer afterwards.

Ruling 747. If a person doubts during the '*ishā*' prayer after reaching the *rukū'* of the fourth *rak'ah* whether he has performed the *maghrib* prayer or not, he must complete the prayer and thereafter perform the *maghrib* prayer provided that there is enough time remaining to do so.

Ruling 748. If a person performs a prayer and then performs it again as a precautionary measure, and during the prayer he remembers that he has not performed the prayer that was necessary for him to perform before it, he cannot change his intention to that prayer. For example, if when he performs the '*aṣr*' prayer as a precautionary measure he remembers that he has not performed the *ẓuhr* prayer, he cannot change his intention to the *ẓuhr* prayer.

Ruling 749. Changing one's intention from a *qaḍā'* prayer to an *adā'* prayer, or from a recommended prayer to an obligatory prayer, is not permitted.

Ruling 750. If there is ample time for an *adā'* prayer, one can, during the prayer – in the event that he remembers he has an outstanding *qaḍā'* prayer to perform – change his intention to the *qaḍā'* prayer. However, for this to be acceptable, it must be possible to change the intention to a *qaḍā'* prayer; for example, if he has started to perform the *ẓuhr* prayer, he can change his intention to a *qaḍā'* *ṣubḥ* prayer only if he has not yet reached the *rukū'* of the third *rak'ah*.

RECOMMENDED (MUSTAḤABB) PRAYERS

Ruling 751. There are many recommended prayers; they are called 'supererogatory' (*nāfilah*). From among the recommended prayers, the daily *nāfilah* prayers have been recommended more. These number thirty-four *rak'ahs* (on days other than Friday): eight *rak'ahs* are the *nāfilah* of *ẓuhr*, eight of '*aṣr*', four of *maghrib*, two of '*ishā*', eleven of the night, and two of *ṣubḥ*. As the two *rak'ahs* of the *nāfilah* of '*ishā*'

must be performed in a sitting position, they are counted as one *rak'ah*, based on obligatory precaution. On Fridays, four *rak'ahs* are added to the sixteen *rak'ahs* of *ẓuhr* and *‘aṣr*, and it is better that all twenty *rak'ahs* be performed before *zawāl*, except for two *rak'ahs* – it is better to perform these at the time of *zawāl*.

Ruling 752. From among the eleven *rak'ahs* of the night *nāfilah*,⁹ eight *rak'ahs* must be performed with the intention of *nāfilah* of the night, two *rak'ahs* with the intention of the prayer of *shaf'*, and one *rak'ah* with the intention of the prayer of *witr*. Full instructions on how to perform the *nāfilah* of the night are mentioned in the books of supplications (*du‘ā's*).

Ruling 753. *Nāfilah* prayers can be performed in a sitting position even if one does so voluntarily, and [if someone performs these prayers in a sitting position,] it is not necessary to count two *rak'ahs* as one *rak'ah*. However, it is better to perform them in a standing position, except for the *nāfilah* of *‘ishā'*, which must be performed in a sitting position, based on obligatory precaution.

Ruling 754. A traveller must not perform the *nāfilah* of *ẓuhr* and *‘aṣr*, and there is no problem if a traveller performs the *nāfilah* of *‘ishā'* with the intention of *rajā'* [i.e. in the hope that it is desired by Allah].

TIMINGS FOR THE DAILY SUPEREROGATORY (NĀFILAH) PRAYERS

Ruling 755. The *nāfilah* of *ẓuhr* is performed before the *ẓuhr* prayer, and its time commences from the time of *ẓuhr* and continues until the time it is possible to perform it before performing the *ẓuhr* prayer. However, if one delays performing the *nāfilah* of *ẓuhr* until the time that the shadow of an indicator (*shākhiṣ*), which is visible after the time of *ẓuhr*, becomes two-sevenths the length of the indicator – meaning that if the length of the indicator is seven spans, the shadow becomes two spans in length – in such a case, it is better to perform

⁹ These eleven *rak'ahs* are collectively referred to as *‘ṣalāt al-layl*' (the night prayer) or *‘ṣalāt al-tahajjud*' (the night vigil prayer).

the *ẓuhr* prayer before the *nāfilah* prayer unless one has performed one *rak'ah* of the *nāfilah* prayer before [the shadow of the indicator becomes two-sevenths the length of the indicator], in which case it is better to complete the *nāfilah* prayer before the *ẓuhr* prayer.

Ruling 756. The *nāfilah* of 'aṣr is performed before the 'aṣr prayer, and its time continues until the time it is possible to perform it before performing the 'aṣr prayer. However, if one delays performing the *nāfilah* of 'aṣr until the time that the shadow of an indicator becomes four-sevenths the length of the indicator, it is better to perform the 'aṣr prayer before the *nāfilah* prayer, except in the case mentioned in the previous ruling.

Ruling 757. The time for the *nāfilah* of *maghrib* is after performing the *maghrib* prayer, and as much as possible, it should be performed after performing the *maghrib* prayer within its prescribed time. However, if one delays performing the *nāfilah* of *maghrib* until the redness of the western sky – which is visible after the sun sets – disappears, it is better that one first performs the 'ishā' prayer.

Ruling 758. The time for the *nāfilah* of 'ishā' is after performing the 'ishā' prayer until midnight, and it is better that it be performed immediately after the 'ishā' prayer.

Ruling 759. The *nāfilah* of the *ṣubḥ* prayer is performed before the *ṣubḥ* prayer, and its time commences after the passing of the time of the night prayer (*ṣalāt al-layl*) in which *ṣalāt al-layl* can be performed. Its time continues until the time it is possible to perform the *ṣubḥ* prayer. However, if one delays performing the *nāfilah* of *ṣubḥ* until the redness of the eastern sky becomes visible, it is better that one first performs the *ṣubḥ* prayer.

Ruling 760. Based on the well-known (*mashhūr*) juristic opinion, the commencement of the *nāfilah* of the night is midnight. Although this is more cautious and better, it is not farfetched (*ba'id*)¹⁰ that its commencement is the start of night and that its time continues until the time of the morning call to prayer; and it is better that it be

¹⁰ For practical purposes, a legal opinion that is termed 'not farfetched' equates to a *fatwa*.

performed near the time of the morning call to prayer.

Ruling 761. If a person wakes up at the appearance of daybreak, he can perform *ṣalāt al-layl* without making the intention of *adā'* or *qadā'*.

THE GHUFAYLAH PRAYER

Ruling 762. The *ghufaylah* [literally, 'a brief state of unmindfulness'] prayer is one of the recommended prayers that is performed between *maghrib* and '*ishā'* prayers. In the first *rak'ah* after Surat al-Ḥamd, this verse is recited instead of a chapter:

وَذَا النُّونِ إِذْ ذَهَبَ مُغَاضِبًا فَظَنَّ أَنْ لَنْ نَقْدِرَ عَلَيْهِ فَنَادَى فِي الظُّلُمَاتِ
أَنْ لَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ إِنِّي كُنْتُ مِنَ الظَّالِمِينَ. فَاسْتَجَبْنَا لَهُ وَنَجَّيْنَاهُ
مِنَ الْعَمْرِ وَكَذَلِكَ نُنْجِي الْمُؤْمِنِينَ

wa dhan nūni idh dhahaba mughāḍiban faẓanna al lan naqdira 'alayhi fanādā fīẓ zulūmātī al lā ilāha illā anta subḥānaka innī kuntu mināẓ ḡālimīn. fastajabnā lahu wa najjaynāhu minal ghammi wa kadhālika nunjil mu'minīn. And the Man of the Fish [Prophet Yūnus], when he left in a rage, thinking that We would not put him to hardship. Then he cried out in the darkness, 'There is no god except You! You are immaculate! I have indeed been among the wrongdoers!' So We answered his prayer and delivered him from the agony; and thus do We deliver the faithful."

In the second *rak'ah* after Surat al-Ḥamd, this verse is recited instead of a chapter:

وَعِنْدَهُ مَفَاتِيحُ الْغَيْبِ لَا يَعْلَمُهَا إِلَّا هُوَ وَ يَعْلَمُ مَا فِي الْبَرِّ وَالْبَحْرِ وَمَا
تَسْقُطُ مِنْ وَرَقَةٍ إِلَّا يَعْلَمُهَا وَلَا حَبَّةٌ فِي ظُلُمَاتِ الْأَرْضِ وَلَا رَطْبٌ وَ
لَا يَابِسٌ إِلَّا فِي كِتَابٍ مُبِينٍ

wa 'indahū mafātiḥul ghaybi lā ya'lamuhā illā huwa wa ya'lamu mā fil barri wal baḥri wa mā tasquṭu miw waraqatin illā ya'lamuhā wa lā ḥabbatin fī zulūmātīl arḍi wa lā raṭbiw wa lā yābisin illā fī kitābim mubīn

With Him are the treasures of the Unseen; no one knows them except

¹¹ Surat al-Anbiyā' (Chapter 21), verses 87 & 88.

Him. He knows whatever there is in land and sea. No leaf falls without His knowing it, nor is there a grain in the darkness of the earth, nor anything fresh or withered but it is in a manifest Book.¹²

In *qunūt*, this is recited:

اللَّهُمَّ إِنِّي أَسْأَلُكَ بِمَفَاتِحِ الْغَيْبِ الَّتِي لَا يَعْلَمُهَا إِلَّا أَنْتَ، أَنْ تُصَلِّيَ عَلَيَّ
مُحَمَّدٍ وَ آلِ مُحَمَّدٍ، وَ أَنْ تَفْعَلَ بِي _____

allāhumma innī as'aluka bimafātiḥil ghaybil latī lā ya'lamuhā illā ant, an tuṣalliya 'alā muḥammadiw wa āli muḥammad, wa an taf'ala bī _____
O Allah! I ask You by the treasures of the Unseen that no one knows except You, to bless Muḥammad and the progeny of Muḥammad and to fulfil for me _____.

In the blank place, one should ask for his needs (*hājāt*) to be fulfilled and then recite:

اللَّهُمَّ أَنْتَ وَلِيُّ نِعْمَتِي وَ الْقَادِرُ عَلَيَّ طَلِبَتِي، تَعْلَمُ حَاجَتِي فَأَسْأَلُكَ بِحَقِّ
مُحَمَّدٍ وَ آلِ مُحَمَّدٍ عَلَيْهِ وَ عَلَيْهِمُ السَّلَامُ، لَمَّا فَضَيْتَهَا لِي

allāhumma anta waliyyu ni'matī wal qādiru 'alā ṭalibatī, ta'lamu ḥājatī fa'as'aluka bihaqqi muḥammadiw wa āli muḥammadin 'alayhi wa 'alayhimus salām, lammā qaḍaytahā lī

O Allah! You are the Patron of my blessings and the One Powerful to respond to my request. You know my needs, so I ask You by the right of Muḥammad and the progeny of Muḥammad, peace be upon him and them, to fulfil them for me.

RULES OF QIBLA

Ruling 763. Qibla is the place of the Ka'bah in Mecca, and prayers must be performed facing it. However, for someone who is far away, it is sufficient to stand in such a manner that it can be said he is performing prayers facing qibla. The same applies to other acts – such as slaughtering animals – that must be performed facing qibla.

¹² Surat al-An'ām (Chapter 6), verse 59.

Ruling 764. Someone who performs the obligatory prayers in a standing position must do so with his chest and stomach facing qibla, and his face must not divert a lot from qibla. And the recommended precaution is that his toes should also face qibla.

Ruling 765. Someone who must perform prayers in a sitting position must do so with his chest and stomach facing qibla, and his face must not divert a lot from qibla.

Ruling 766. Someone who cannot perform prayers in a sitting position must perform them lying on his side in a way that the front of his body faces qibla. Furthermore, as far as it is possible for him to lie on his right side, he must not lie on his left side, based on obligatory precaution; and if both of these positions are not possible for him, he must lie on his back in a way that the soles of his feet face qibla.

Ruling 767. The precautionary prayer (*ṣalāt al-iḥtiyāt*) and a forgotten *sajdah* or *tashahhud* (testifying) must be performed facing qibla. And based on recommended precaution, the prostration for inadvertence (*sajdat al-sahw*) should also be performed facing qibla.

Ruling 768. A recommended prayer can be performed while walking and riding, and if a person performs a recommended prayer in either of these two ways, it is not necessary that he faces qibla.

Ruling 769. Someone who wants to perform prayers must make efforts to find out the direction of qibla to the extent that he attains certainty – or that which comes under the rule (*ḥukm*) of certainty, such as the testimony of two just people, if their testimony is based on sensory perception and suchlike – about its direction. If he cannot, he must act in accordance with what he supposes to be the direction of qibla based on the position of the *miḥrāb*¹³ of a mosque, or the graves of believers, or by some other way. Even if he bases his supposition (*ẓann*) on the words of an immoral person or a disbeliever who knows the direction of qibla by employing scientific principles, it is sufficient.

Ruling 770. If someone who has a supposition about the direction

¹³ This is a niche, chamber, or slab in a mosque that faces the direction of Mecca and where the imam usually stands for congregational prayers.

of qibla arrives at a stronger supposition, he cannot act on his first supposition. For example, if a guest has a supposition about the direction of qibla through the words of his host, but he arrives at a stronger opinion in another way, he must not act on the words of his host.

Ruling 771. If someone does not have any means to find the direction of qibla, or despite his efforts he cannot arrive at a supposition as to its direction, it is sufficient for him to perform prayers facing one direction. Furthermore, the recommended precaution is that if there is enough time, he should perform prayers four times, each time facing one of the four compass directions [i.e. what he supposes to be north, east, south, and west].

Ruling 772. If a person is certain or supposes that qibla is in one of two directions, he must perform prayers in both of those directions.

Ruling 773. If someone who has to perform prayers in different directions wants to perform two prayers that must be performed one after the other, such as the *ẓuhr* and *ʿaṣr* prayers, the recommended precaution is that he performs the first prayer in those different directions and then performs the second prayer in those different directions as well.

Ruling 774. If someone who is not certain about the direction of qibla wants to do something, other than perform prayers, that must be done facing qibla – for example, he wants to slaughter an animal – he must act on his supposition; and if acting on his supposition is not possible, performing the act in any direction is correct.

COVERING THE BODY IN PRAYERS

Ruling 775. While performing prayers, a man must cover his private parts even if no one sees him; and it is better that he covers his body from the navel to the knees.

Ruling 776. While performing prayers, a woman must cover her entire body, even her head and hair; and based on obligatory precaution, she

must cover her body in a way that even she cannot see it. Therefore, if she wears a chador in a way that she can see her body, it is problematic [i.e. based on obligatory precaution, a woman must not wear a chador in such a way]. However, it is not necessary for a woman to cover her face, nor her hands below her wrists, nor her feet below her ankles. In order to be certain that she has covered the obligatory areas, she must also cover a little of the sides of her face and a little of the area below her wrists and ankles.

Ruling 777. When someone makes up a forgotten *sajdah* or *tashahhud*, he must cover himself in the same manner as when he performs prayers. And the recommended precaution is that he should cover himself in this manner when he performs *sajdat al-sahw* as well.

Ruling 778. If when performing prayers one intentionally does not cover his private parts, his prayers are invalid. If he does this on account of not knowing the ruling, in the event that he was negligent in not learning the ruling, he must, based on obligatory precaution, perform the prayers again.

Ruling 779. If someone realises during his prayers that his private parts are visible, he must cover them and it is not necessary for him to repeat his prayers. However, the obligatory precaution is that while he realises that his private parts are visible, he must not continue with any component of the prayer. And if he realises after his prayer that during the prayer his private parts were visible, his prayer is valid.

Ruling 780. If some clothing covers one's private parts while he is standing but it is possible that it would not cover them in other positions – for example, in the position of *rukū'* and *sujūd* (prostrating) – then, in the event that when his private parts are visible he covers them by some means, his prayer is valid. However, the recommended precaution is that he should not perform prayers with such clothing.

Ruling 781. When performing prayers, one can cover himself using grass and tree leaves. However, the recommended precaution is that he should only use these when he does not have clothing.

Ruling 782. If a person is in a helpless situation whereby he does not

have anything with which to cover his private parts, he can cover them with mud and suchlike so that the skin is not visible.

Ruling 783. If a person does not have anything with which to cover himself while performing prayers, in the event that he has not lost hope in finding something to cover himself with, the obligatory precaution is that he must delay performing prayers; and if he does not find anything, he must perform his prayer in accordance with his duty at the end of the prescribed time. However, if he has lost hope, he can perform his prayer in accordance with his duty at the start of the prescribed time; and in this case, if he performs prayers at the start of the prescribed time and afterwards his excuse expires, it is not necessary for him to repeat his prayer.

Ruling 784. If someone who wants to perform prayers does not even have tree leaves, grass, mud, or sludge with which to cover himself, and if he is not hopeful of finding something before the end of the prayer's prescribed time with which he could cover himself, then in case he is confident that someone from whom it is obligatory to cover his private parts will not see him, he must perform his prayer in a standing position and perform *rukū'* and *sujūd* normally. Furthermore, in the event that he deems it probable that an onlooker (*al-nāẓir al-muhtaram*)¹⁴ will see him, he must perform his prayer in such a manner that his private parts are not visible; for example, by performing it in a sitting position. And if in order to prevent himself from being seen by an onlooker in each of these three states he is obliged to perform his prayer in a sitting position and to leave out *rukū'* and *sujūd*, he must sit and perform *rukū'* and *sujūd* by sign. And if he is obliged to leave out only one of these three acts, he must leave out only that one. Therefore, if he can stand only, he must perform *rukū'* and *sujūd* by sign; and if standing results in him being seen, he must sit and perform *rukū'* and *sujūd* normally. However, in this case, the recommended precaution is that he should combine this kind of sitting and performing the prayer in a standing position with doing *rukū'* and *sujūd* by sign. And the obligatory precaution is that a naked person performing prayers must cover his private parts using some

¹⁴ *Al-nāẓir al-muhtaram* (literally, a 'respected onlooker') is someone who is sane (*'āqil*), able to discern between right and wrong (*mumayyiz*), of the age of legal responsibility (*bāligh*), and not married to the person being seen.

part of his body, such as his thighs in a sitting position and his hands in a standing position.

CONDITIONS OF CLOTHING WORN BY SOMEONE PERFORMING PRAYERS

Ruling 785. The clothing worn by someone performing prayers must meet six conditions:

1. it must be pure (*tāhir*);
2. it must be permissible (*mubāḥ*) to wear, as an obligatory precaution;
3. it must not be made from the parts of the carcass [of an animal that has not been slaughtered in accordance to Islamic law];
4. it must not be from a wild animal; and based on obligatory precaution, nor must it be from an animal whose meat is *ḥarām* to eat;
- 5-6. if the person performing prayers is male, it must not be made from pure silk nor embroidered with gold.

The details of these conditions will be explained in the following rulings.

Ruling 786. The first condition: the clothing worn by a person performing prayers must be pure, and if someone voluntarily performs prayers with an impure body or with impure clothing, his prayers are invalid.

Ruling 787. If, on account of being negligent in learning the religious ruling a person does not know that prayers performed with an impure body or with impure clothing are invalid, or that, for example, semen is impure, and he performs prayer with it, the obligatory precaution is that he must perform the prayer again; and if the prescribed time has expired, he must make it up.

Ruling 788. If on account of not knowing the ruling a person performs prayers with an impure body or with impure clothing, and if he was

not negligent in learning the ruling, then it is not necessary for him to perform the prayer again or to make it up.

Ruling 789. If someone is certain that his body or clothing is not impure and after prayers realises that it was impure, his prayers are valid.

Ruling 790. If someone forgets that his body or clothing is impure and remembers it during or after prayers, in the event that his forgetfulness was due to carelessness and heedlessness, he must, based on obligatory precaution, perform the prayer again; and if the prescribed time for the prayer has expired, he must make it up. Otherwise, it is not necessary for him to perform the prayer again. However, if he remembers it [i.e. that his body or clothing is impure] during prayers, he must act according to the instructions that will be mentioned in the next ruling.

Ruling 791. If a person starts performing a prayer when there is ample time, and during it he becomes aware that his body or clothing has become impure, and he deems it probable that it became impure after he started his prayer, then, in case his prayer would not be broken up by washing his body or by changing his clothing or by taking his clothing off, he must during the prayer wash his body or clothing, or change his clothing, or take his clothing off, as long as another thing covers his private parts. However, in the event that washing his body or clothing, or changing or removing his clothing, would break up the prayer, or, if by removing his clothing he would become naked, he must, based on obligatory precaution, perform his prayer again with pure clothing.

Ruling 792. If a person starts performing a prayer when time is short, and during it he realises that his clothing has become impure, and he deems it probable that it had become impure after he started the prayer, then, in case his prayer would not be broken up by washing or changing it or by taking his clothing off, and he can remove his clothing, he must wash his clothing or change it, or take his clothing off, as long as another thing covers his private parts, and he must then complete his prayer. However, if nothing else covers his private parts and he cannot wash his clothing or change it, he must complete his prayer with the impure clothing.

Ruling 793. If a person starts performing a prayer when time is short, and during it realises that his body has become impure, and he deems it probable that it became impure after he started his prayer, then in case washing his body would not break up the prayer, he must wash his body; and if it would break up the prayer, he must complete the prayer just as he is and his prayer is valid.

Ruling 794. If someone has a doubt about his body or clothing being pure, in the event that he investigates and does not see anything on it and performs prayers, and after prayers he realises that his body or clothing was impure, his prayers are valid. However, if he does not investigate, then based on obligatory precaution, he must perform his prayer again; and in the event that the time has expired, he must make it up.

Ruling 795. If a person washes his clothing and is certain that it has become pure and performs prayers with it, and afterwards he realises that it had not become pure, his prayers are valid.

Ruling 796. If someone sees some blood on his body or clothing and is certain that it not impure blood – for example, he is certain that it is the blood of a mosquito – then, in the event that after prayers he realises that it was a type of impure blood with which prayers cannot be performed, his prayers are valid.

Ruling 797. If someone is certain that the blood on his body or clothing is impure blood with which prayers can be performed – for example, he is certain that it is the blood of a wound or a boil – then, in the event that he realises after prayers that the blood was of the type with which prayers cannot be performed, his prayers are valid.

Ruling 798. If a person forgets that something is impure and his wet body or clothing touches it, and while he is in the state of forgetfulness he performs prayers with it and remembers it after prayers, his prayers are valid. However, if his wet body touches an impure object that he had forgotten was impure, and without washing himself he performs ritual bathing (*ghusl*) and prayers, his *ghusl* and prayers are invalid unless by performing *ghusl* his body also becomes pure and the water does not become impure, like when *ghusl* is performed

in running water. Furthermore, if a wet part of the body on which *wuḍū'* is performed touches an impure object that he had forgotten was impure, and before washing it he performs *wuḍū'* and prayers, his *wuḍū'* and prayer are invalid unless by performing *wuḍū'* the impure part on which *wuḍū'* is performed also becomes pure and the water does not become impure, like when *wuḍū'* is performed with *kurr*¹⁵ or running water.

Ruling 799. If someone possesses only one piece of clothing and his body and clothing become impure, and the water in his possession is enough to wash only one of them, the obligatory precaution is to wash the body and to perform prayers with the impure clothing, and it is not permitted to wash the clothing and perform prayers with an impure body. However, in case the impurity on his clothing is more than what is on his body, he has the choice of washing whichever one he wants.

Ruling 800. Someone who does not have any other clothing apart from impure clothing must perform prayers with impure clothing, and his prayers are valid.

Ruling 801. If someone who has two sets of clothing knows that one of them is impure but he does not know which one it is, in the event that he has sufficient time, he must perform prayers with each of them. For example, if he wants to perform the *ẓuhr* and *ʿaṣr* prayers, he must perform one *ẓuhr* prayer and one *ʿaṣr* prayer with each. However, if time is short and neither of them can be preferred based on the strength of probability, then whichever one he performs his prayer with will be sufficient.

Ruling 802. The second condition: based on obligatory precaution, it must be permissible (*mubāḥ*) for the person performing prayers to wear the clothing that covers his private parts. And if a person knows that wearing usurped (*ghaṣbī*) clothing is unlawful, or he does not know the ruling due to his own negligence, and if he intentionally performs prayers with that clothing, then based on obligatory precaution, his prayers are invalid. However, with regard

¹⁵ A quantity of water greater or equal to approximately 384 litres. See Ruling 14.

to things that do not on their own cover the private parts and things that the person performing prayers has not yet worn – such as a big handkerchief or a loincloth that is placed in his pocket and which could cover his private parts – and things that he has worn but he has something else that is permissible for him to use and which covers his private parts, in all of these cases, the fact that they are usurped will not affect the validity of the prayer, although as a recommended precaution using such things should be avoided.

Ruling 803. If someone knows that wearing usurped clothing is unlawful but does not know the ruling on performing prayers with it, and he intentionally performs prayers with usurped clothing, then as per the details mentioned in the previous ruling his prayers are invalid, based on obligatory precaution.

Ruling 804. If someone does not know his clothing is usurped or forgets that it is and performs prayers with it, his prayers are valid. However, if someone usurps some clothing himself and forgets that he has usurped it and performs prayers with it, then based on obligatory precaution, his prayers are invalid.

Ruling 805. If someone does not know or forgets that his clothing is usurped and realises this during prayers, in the event that something else covers his private parts and he can immediately or without breaking the close succession (*muwālāh*) – i.e. maintaining continuity in the prayer – remove the clothing and continue praying, he must do so. And if there is nothing else that covers his private parts from an onlooker or he cannot remove the usurped clothing, he must continue the prayer with that clothing and the prayer is valid.

Ruling 806. If someone performs prayers with usurped clothing in order to protect his life, then in case he cannot perform prayers with other clothing by the end of the prescribed time, or he has to wear it out of necessity due to no fault of his own – for example, he did not usurp it himself – his prayers are valid. Similarly, if he performs prayers in usurped clothing so that a thief does not steal it and he cannot perform prayers before the end of the prescribed time with other clothing, or he keeps it with the intention of returning it back to its owner as soon as possible, his prayers are valid.

Ruling 807. If a person purchases clothing with money on which the one-fifth tax (*khums*) has not been paid, and the purchase is a non-specified undertaking (*al-kullī fī al-dhimmah*),¹⁶ as most purchases are, the clothing is lawful (*ḥalāl*) for him and he owes *khums* on the money he paid for the clothing. However, if a person purchases clothing with the actual money on which *khums* has not been paid,¹⁷ then performing prayers with that clothing without the permission of a fully qualified jurist (*al-hākim al-sharʿī*) is ruled as being the same as performing prayers with usurped clothing.

Ruling 808. The third condition: the clothing that is large enough to cover the private parts on its own of someone performing prayers must not be made from the carcass [of an animal that has not been slaughtered in accordance to Islamic law] and whose blood gushes out when its jugular vein is cut. This condition, based on obligatory precaution, also applies to clothing that cannot cover the private parts on their own. And the recommended precaution is that one should not perform prayers with clothing that has been made from an animal whose blood does not gush out, such as a snake.

Ruling 809. If a person performs prayers while he has with him something from an impure carcass that contained life – such as a piece of meat or skin – his prayers are valid.

Ruling 810. If a person performs prayers while he has with him something from the carcass of an animal whose meat is lawful to eat, and if that thing does not contain life – such as fur or wool – or, if he performs prayers with clothing made from it, his prayers are valid.

Ruling 811. The fourth condition: the clothing of a person performing prayers – apart from things that do not cover the private parts on their own, such as socks – must not be made from a wild animal;

¹⁶ This refers to a purchase in which the actual thing with which the payment is made is not specified. For example, a buyer purchases some goods for £20 without specifying to the seller that he is purchasing the goods with a particular £20 note.

¹⁷ This is known as a 'specified' (*shakhṣī*) purchase and is not common. Here, the transaction takes place over money that has been singled out for that purchase. For example, a buyer tells the seller that he is purchasing the goods with such and such £20.

in fact, based on obligatory precaution, it must not be made from an animal whose blood gushes out when its jugular vein is cut. Similarly, a person's body and clothing must not be tainted with the urine, faeces, sweat, milk, or hair of such an animal. However, there is no problem if one strand of hair of such an animal, for example, is on his clothing, and the same applies if he carries something on his person from that animal; for example, in a container or in a box.

Ruling 812. If saliva, nasal mucus, or any other moisture from an animal whose meat is unlawful to eat, such as a cat, is on the body or clothing of someone performing prayers and it is wet, his prayers are invalid. However, if it has dried up and the actual substance has been removed, his prayers are valid.

Ruling 813. There is no problem if someone's hair, sweat, or saliva is on the body or clothing of a person performing prayers, and the same applies to pearls, wax, and honey.

Ruling 814. If a person doubts whether some clothing is made from an animal whose meat is lawful or unlawful to eat – irrespective of whether it was made in an Islamic country or not – it is permitted to perform prayers with it.

Ruling 815. It is not known if seashells are from the parts of animals whose flesh is unlawful to eat; therefore, it is permitted for one to perform prayers with them.

Ruling 816. Wearing the fur of a squirrel in prayers is not a problem, although the recommended precaution is that prayers should not be performed with it.

Ruling 817. If a person performs prayers with clothing about which he does not know or has forgotten that it was made from an animal whose meat is unlawful, his prayers are valid.

Ruling 818. The fifth condition: wearing clothing embroidered with gold for men is unlawful, and prayers performed with it are invalid. However, for women, wearing it in prayers and at other times is not a problem.

Ruling 819. Wearing gold, such as a gold necklace, ring, and wrist watch is unlawful for men, and performing prayers with it is invalid. However, for women, wearing it in prayers and at other times is not a problem.

Ruling 820. If a man does not know, forgets, or has a doubt that his ring or clothing is made from gold and he performs prayers with it, his prayers are valid.

Ruling 821. The sixth condition: the clothing of a man performing prayers that can cover the private parts on its own must not be made of pure silk. Furthermore, it is unlawful for a man to wear such clothing at other times.

Ruling 822. If an entire sleeve or part of it is made out of pure silk, it is unlawful for a man to wear it, and prayers performed with it are invalid.

Ruling 823. It is permitted [for a man] to wear clothing about which he does not know whether it is made out of pure silk or something else, and there is no problem in performing prayers with it.

Ruling 824. There is no problem if a silk handkerchief or similar item is in the pocket of a man, and it does not invalidate prayers.

Ruling 825. For women, there is no problem in wearing silk clothing in prayers and at other times.

Ruling 826. [For a man,] there is no a problem in wearing pure silk clothing or clothing embroidered with gold if he is compelled to. Also, someone who is compelled to wear clothing and does not have any other clothing except these can perform prayers with them.

Ruling 827. If a person does not have clothing other than clothing that is usurped, or made of pure silk, or embroidered with gold, and if he is not compelled to wear clothes, he must perform prayers in accordance with the instructions that were mentioned regarding someone who is naked.¹⁸

¹⁸ See Rulings 781–784.

Ruling 828. If a person does not have clothing other than that made from a wild animal, in the event that he is compelled to wear it, he can perform prayers with it provided that the necessity for him to do so remains until the end of the prescribed time. However, if he is not compelled, he must perform prayers in accordance with the instructions that were mentioned regarding someone who is naked. And if a person does not have clothing other than that made from an animal whose meat is unlawful to eat but is not a wild animal, in the event that he is not compelled to wear it, the obligatory precaution is that he must perform prayers twice: once with that clothing, and once in accordance with the instructions that were mentioned regarding someone who is naked.

Ruling 829. If a person does not have anything with which he can cover his private parts in prayers, it is obligatory on him to procure such a thing even if he has to hire or purchase it. However, if procuring it requires an amount of money that is a lot in relation to what he can afford, or, if spending money on it would cause him some harm, he can perform prayers in accordance with the instructions that were mentioned regarding someone who is naked.

Ruling 830. If someone who does not have clothing is gifted or loaned some clothing by someone else, in the event that accepting it does not cause him excessive difficulty (*mashaqqah*), he must accept it. In fact, if borrowing or asking for clothing is not difficult for him, he must ask or borrow it from someone who has it.

Ruling 831. Wearing clothing made of a material, colour, or style that is not normal for someone who wants to wear it is unlawful if it would cause him disrespect and humiliation. However, if he performs prayers with that clothing – even if it is the only thing that covers his private parts – his prayers are valid.

Ruling 832. It is not unlawful for a man to wear the clothing of a woman, nor for a woman to wear the clothing of a man, and performing prayers with such clothing does not invalidate the prayer. However, based on obligatory precaution, it is not permitted for a man to appear in the form of a woman, and similarly vice versa.

Ruling 833. With regard to the bed sheet or quilt that is used by someone who must perform prayers while lying down, it is not necessary for it to fulfil the conditions of clothing of someone performing prayers unless it is used in such a way that it can be said it is worn, like if he were to wrap himself in it.

CASES WHEN IT IS NOT NECESSARY FOR THE BODY AND CLOTHING OF SOMEONE PERFORMING PRAYERS TO BE PURE

Ruling 834. In three cases – the details of which will follow afterwards – if the body or clothing of someone performing prayers is impure, his prayers are valid:

1. if due to a wound, sore, or boil on his body the clothing or his body has become impure with blood;
2. if the amount of blood that has made his body or clothing impure is less than a dirham. Based on obligatory precaution, a dirham is equal to the size of the upper joint of the thumb;
3. if he is compelled to perform prayers with an impure body or clothing.

In one case, if the clothing of someone performing prayers is impure, his prayers are valid, and that is when his small items of clothing – such as his socks and cap – are impure.

The laws (*aḥkāṁ*) of these four situations will be explained in detail in the following rulings.

Ruling 835. If blood from a wound, sore, or boil is on the body or clothing of someone performing prayers, he can perform prayers with that blood as long as the wound, sore, or boil has not healed. The same applies to pus that comes out with blood, or any medicine that is applied to the wound and which becomes impure.

Ruling 836. If blood from a cut or wound that heals quickly and is easy to wash is on the body or clothing of someone performing prayers, and it is the size of a dirham or more, his prayers are invalid.

Ruling 837. If a part of one's body or clothing that is distant from a wound becomes impure by means of the moisture from the wound, it is not permitted to perform prayers with it. However, if part of one's body or clothing around the wound becomes impure by means of the moisture from the wound, there is no problem in performing prayers with it.

Ruling 838. If a person's body or clothing has blood on it from piles or a wound that is inside one's mouth or nose etc., he can perform prayers with it; and it makes no difference whether the swollen haemorrhoid vessels are internal or external.

Ruling 839. If there is a wound on one's body and he sees blood that is more than a dirham on his body or clothing but does not know whether it is blood from the wound or not, the obligatory precaution is that he must not perform prayers with it.

Ruling 840. If there are several wounds on one's body and they are so close to each other that they are considered to be one wound, there is no problem in performing prayers with that blood until the time all the wounds heal. However, if the wounds are so far apart from one another that each of them is considered to be a separate wound, then whenever one of them heals, he must wash the blood from his body and clothing in order to perform prayers.

Ruling 841. If there is even the tiniest amount of *ḥayḍ* blood on the body or clothing of someone performing prayers, the prayers are invalid. Furthermore, based on obligatory precaution, the same applies with regard to blood from an intrinsic impurity (*ʿayn al-najāsah*) – such as a pig or a corpse – and blood from an animal whose meat is unlawful to eat, the blood of lochia (*nifās*), and the blood of an irregular blood discharge (*istiḥāḍah*). However, there is no problem in performing prayers if there are other types of blood on one's body or clothing – such as blood from a human being or from an animal whose meat is lawful to eat – even if it is on a number of areas of the body or clothing, provided that their combined area is less than that of a dirham.

Ruling 842. If blood spills on clothing that does not have a lining

and it reaches the other side, it is considered to be one blood; and the side on which the blood has spread more must be taken into account [when determining whether or not it is equal to or more than the size of a dirham]. However, if the other side of the clothing becomes bloody separately, then each side must be considered separately. Therefore, if the combined area of blood on the front and back of the clothing is less than a dirham, prayers with it are valid; but if it is equal to or more than the size of a dirham, then prayers performed with it are invalid.

Ruling 843. If blood spills on clothing that has a lining and reaches the lining, or it spills on the lining and reaches the upper layer of the clothing, or from one piece of clothing it reaches another piece, in each of these cases, the blood must be considered to be separate. Therefore, if the combined area of blood is less than a dirham, the prayers are valid; otherwise, they are invalid unless the areas are joined together such that they would be commonly considered to be one area of blood, in which case if the area of blood on the side that has spread more is less than a dirham, prayers with it are valid; but if it is the size of a dirham or more, then prayers performed with it are invalid.

Ruling 844. If the area of blood on one's body or clothing is less than the size of a dirham, and some moisture reaches it and spreads it further, prayers performed with it are invalid even if the area of the blood and the moisture is not equal to the size of a dirham. However, if moisture only reaches the blood without spreading it, there is no problem in performing prayers with it.

Ruling 845. If a person's body or clothing has not become bloody but on account of moisture reaching the blood it becomes impure, he cannot perform prayers with it even if the area that has become impure is less than the size of a dirham.

Ruling 846. If the area of blood on one's body or clothing is less than the size of a dirham and another impurity reaches it – for example, a drop of urine falls on it – then in case it reaches a pure part of the body or clothing, it is not permitted to perform prayers with it. In fact, even if it does not reach a pure part of the body or clothing, based

on obligatory precaution, it is not correct to perform prayers with it.

Ruling 847. If the small items of clothing of someone performing prayers that cannot cover the private parts – such as socks or a cap – become impure, in the event that they are not made from an impure carcass or from an animal that is an intrinsic impurity – such as a dog – prayers performed with it are valid. However, if they are made from an impure carcass or from an impure animal, then based on obligatory precaution, prayers performed with them are invalid. There is no problem, however, in performing prayers with an impure ring.

Ruling 848. It is permitted for someone performing prayers to have with him an impure object like an impure handkerchief, key, or knife. Similarly, there is no problem in having impure clothing with him [that is not worn].

Ruling 849. If a person knows that the area of blood on his body or clothing is less than the size of a dirham, but he deems it probable that the blood may be of a type that is not excusable in prayers, it is permitted for him to perform prayers with that blood.

Ruling 850. If the area of blood on one's body or clothing is less than the size of a dirham, but he does not know that it is a type of blood that is not excusable in prayers and performs prayers, and afterwards he realises that it was a type of blood that is not excusable in prayers, it is not necessary for him to perform the prayer again. Similarly, if he believes that the amount of blood is less than the size of a dirham and performs prayers, and afterwards he realises that it was equal to or more than the size of a dirham, it is not necessary for him to perform the prayer again.

THINGS THAT ARE RECOMMENDED (*MUSTAḤABB*) FOR THE CLOTHING OF SOMEONE PERFORMING PRAYERS

Ruling 851. The jurists (*fuqahāʾ*) – may Allah sanctify their souls – have known some things to be recommended for the clothing

of someone performing prayers. These include: wearing a turban (*ammāmah*) with its final fold passing under the chin (*taht al-ḥanak*), wearing a cloak that rests on the shoulders (*ʿabā*), wearing white, wearing clothing that is very clean, applying perfume, and wearing an agate (*ʿaqīq*) ring.

THINGS THAT ARE DISAPPROVED (MAKRŪH) FOR THE CLOTHING OF SOMEONE PERFORMING PRAYERS

Ruling 852. The jurists – may Allah sanctify their souls – have known some things to be disapproved for the clothing of someone performing prayers. These include: wearing black clothes, wearing dirty or tight clothes, wearing the clothes of someone who drinks alcohol, wearing the clothes of someone who does not refrain from impure things, wearing clothes that have a picture of a face on them, leaving buttons open, and wearing a ring that has a picture of a face on it.

THE PLACE WHERE PRAYERS ARE PERFORMED

The place where prayers are performed must fulfil seven conditions.

The first condition: it must be permissible to use, based on obligatory precaution.

Ruling 853. If someone performs prayers on usurped property, even if it is a carpet, couch, or something similar, then based on obligatory precaution, his prayers are invalid. However, there is no problem in performing prayers under a usurped roof or in a usurped tent.

Ruling 854. Performing prayers on property whose benefit belongs to someone else without the permission of the one who benefits from the property is ruled as being the same as performing prayers on usurped property. For example, if in a rented house the landlord or someone else performs prayers there without the permission of the

tenant, then based on obligatory precaution, his prayers are invalid.

Ruling 855. If someone is sitting in a mosque and another person takes his place and without his permission performs prayers there, his prayers are valid although he has committed a sin.

Ruling 856. If a person does not know or has forgotten that a certain place is usurped and performs prayers there, and after his prayers he realises or remembers it is usurped, his prayers are valid. However, if someone has usurped a place himself but forgets and performs prayers there, then based on obligatory precaution, his prayers are invalid.

Ruling 857. If someone knows that a certain place is usurped and that using it is unlawful, but he does not know that there is a problem in performing prayers in a usurped place and performs prayer there, then based on obligatory precaution, his prayers are invalid.

Ruling 858. If someone is compelled to perform an obligatory prayer while riding, in the event that the animal, its saddle, or horseshoe is usurped, then based on obligatory precaution, his prayer is invalid. The same applies if he wants to perform a recommended prayer while riding that animal.

Ruling 859. If someone owns a property in partnership with someone else, and if his share is not separately defined, he cannot use that property without the permission of his partner; and based on obligatory precaution, prayers performed there are invalid.

Ruling 860. If a person purchases property with money on which *khums* has not been paid and the purchase is a non-specified undertaking (*al-kullī fī al-dhimmah*),¹⁹ as most purchases are, then using it is lawful for him and he owes *khums* on the money he paid for the property. However, if a person purchases property with the actual money on which *khums* has not been paid,²⁰ then using that property

¹⁹ This type of purchase is known as a 'non-specified undertaking'. See the first footnote pertaining to Ruling 807.

²⁰ This is known as a 'specified' (*shakhṣī*) purchase. See the second footnote pertaining to Ruling 807.

without the permission of a fully qualified jurist is unlawful; and based on obligatory precaution, prayers performed there are invalid.

Ruling 861. If the owner of a property verbally gives permission to perform prayers there but one knows that in reality he does not consent, performing prayers on his property is not permitted. And if he does not give permission and one is certain that in reality he consents, performing prayers there is permitted.

Ruling 862. If a dead person owes money in alms tax (*zakat*) or to people, there is no problem in using his property with the permission of his heirs provided that the use does not conflict with the paying of his debt, such as performing prayers in his house. Similarly, if the heirs pay his debt, or take it upon themselves to pay his debt, or keep aside the amount of his debt from his estate, there is no problem in using his property even if this causes it to be ruined.

Ruling 863. If some of the heirs of a dead person are minors (*ṣaghīr*), insane, or absent, using the property without the permission of the guardian (*walī*) of those heirs is unlawful, and performing prayers there is not permitted. However, there is no problem in using it in a normal way to start preparations for the burial of the corpse.

Ruling 864. Performing prayers on someone else's property is permitted only when the owner clearly gives permission to do so, or he says something that indicates he has given permission – such as giving someone permission to sit and sleep there, by which it can be understood that he has given permission for prayers to be performed there as well – or, when one derives confidence by some other way that the owner consents.

Ruling 865. It is permitted to perform prayers on a vast expanse of land even if its owner is a minor or insane, or he does not consent to prayers being performed there. Similarly, it is permitted to perform prayers without the consent of the owner in gardens and on land that do not have gates or walls. However, in this case, if one knows that the owner does not consent, he must not use it. And if the owner is a minor or insane, or if one supposes that he does not consent, the obligatory precaution is that he must not use it nor perform prayers there.

Ruling 866. The second condition: the place where obligatory prayers are performed must not move so vigorously that it would prevent the person performing prayers from standing and performing *rukū'* and *sujūd* normally; in fact, based on obligatory precaution, the movement must not prevent his body from being steady. And if due to shortage of time or any other reason one is compelled to perform prayers in such a place – for example, in certain types of cars or on a ship or train – he must remain still and face qibla as much as possible. If the vehicle moves away from the direction of qibla, he must turn and face the qibla again; and if it is not possible to face qibla precisely, he must try to ensure that the difference is less than ninety degrees; and if this is not possible, he must face qibla at least while performing *takbīrat al-iḥrām*; and if even this is not possible, it is not necessary for him to face qibla.

Ruling 867. Performing prayers in a car, ship, train etc. is permitted while it is standing still. The same applies when it is moving provided that it does not move to such an extent that it prevents the body of the person performing prayers from being steady.

Ruling 868. Prayers performed on a pile of wheat, barley, and similar things on which one cannot remain stable are invalid.

The third condition: one must perform prayers in a place where he deems it probable that he will complete them. However, if one is confident that he will not be able to complete his prayers in a place on account of wind, rain, or there being a lot of people around and suchlike, he must perform prayers with the intention of *raja'*; and if he happens to complete his prayer, there is no problem.

Ruling 869. If a person performs prayers at a place where it is unlawful to stay – for example, under a roof that is close to collapsing – his prayers are valid although he will have committed a sin.

Ruling 870. Performing prayers on something that is unlawful to stand or sit on – such as a place on a mat that has Allah's name written on it – is not correct in the event that it prevents one from establishing an intention to attain proximity to Allah (*qaṣd al-qurbah*).

The fourth condition: the ceiling of the place where one performs prayers must not be so low that he cannot stand up straight; and the place must not be so small that there is no room to perform *rukūʿ* and *sujūd*.

Ruling 871. If a person is compelled to perform prayers in a place where it is not at all possible to stand up straight, it is necessary that he performs prayers in a sitting position; and if performing *rukūʿ* and *sujūd* is also not possible, he must perform them by indications of the head.

Ruling 872. One must not [i.e. it is a sin to] perform prayers with his back to the grave of the Prophet (S) or the Imams (ʿA) if it is disrespectful to them; otherwise, there is no problem in it [i.e. it is not a sin if it is not disrespectful to them]. In both cases, however, his prayers would be valid.

The fifth condition: If the place where a person performs prayer is impure, it must not be so wet that its moisture reaches his body or clothing in case the impurity is of the type that invalidates prayers. However, if the place where one places his forehead is impure, the prayers are invalid even if the place is dry. And the recommended precaution is that the place where one performs prayers should not be impure at all.

The sixth condition: Based on obligatory precaution, a woman must stand behind a man at least to the extent that the place of her *sajdah* is level with the place of his knees when he performs *sajdah*.

Ruling 873. If a woman stands level with or in front of a man and they both start prayers together, then based on obligatory precaution, they must perform the prayer again. The same applies if one of them starts prayers before the other.

Ruling 874. If a man and a woman stand level with each other or a woman stands in front and they perform prayers, and if there is a wall, curtain, or something else between them so that they cannot see one another, or the distance between them is more than ten cubits (*dhirāʿ*s) (equivalent to approximately four and a half metres), then in

these cases, the prayers of both of them are valid.

The seventh condition: The place of one's forehead must not be higher or lower than the height of four fingers closed together in relation to the place of his knees and big toes. The details of this ruling will be mentioned in the section on *sajdah*.

Ruling 875. It is unlawful for a man and a woman who are not *maḥram*²¹ to be in a secluded place together if there is a probability of a sin taking place; and the recommended precaution is that prayers should not be performed there.

Ruling 876. It is not unlawful to perform prayers in a place where there is singing and unlawful music, even though listening to it and using it is sinful.

Ruling 877. The obligatory precaution is that obligatory prayers must not be wilfully performed inside the Ka'bah or on its roof. There is no problem, however, if one is compelled to.

Ruling 878. There is no problem in performing recommended prayers inside the Ka'bah or on its roof. In fact, it is recommended to perform a two *rak'ah* recommended prayer inside the Ka'bah in front of each corner.

PLACES WHERE PERFORMING PRAYERS IS RECOMMENDED (*MUSTAḤABB*)

Ruling 879. In the sacred law of Islam, it has been highly advised to perform prayers in a mosque; and the best of all mosques is Masjid al-Ḥarām, and after that the Mosque of the Prophet (S), and after that the Mosque of Kufa, and after that the al-Aqsa Mosque, and after that the *jāmi'* mosque²² of every town, and after that one's local mosque,

²¹ A *maḥram* is a person whom one is never permitted to marry on account of being related to them in a particular way; for example, by being their parent or sibling.

²² As defined in Ruling 1728, a *jāmi'* mosque is one that is not particular to a specific group of people but is frequented by people from different areas of the town.

and after that a mosque in the bazaar.

Ruling 880. It is better that women perform their prayers in a place where it is more likely that they will not be seen by those who are not *maḥram* to them, whether that place be at home, in a mosque, or somewhere else.

Ruling 881. Performing prayers in the shrines (*ḥarams*) of the Imams (‘A) is recommended; indeed, it is better than in a mosque. It has been reported that a prayer in the sacred shrine of His Eminence the Commander of the Faithful [Imam ‘Alī] (‘A) is equal to 200,000 prayers.

Ruling 882. It is recommended to frequently go to a mosque and to go to a mosque that does not have people performing prayers there. Furthermore, it is disapproved for the neighbours of a mosque to perform prayers in any place other than in the mosque without a legitimate excuse.

Ruling 883. It is recommended that one should not sit to eat with someone who does not attend a mosque, nor should one seek his advice on matters, be his neighbour, take his daughter in marriage, or give him a daughter in marriage.

PLACES WHERE PERFORMING PRAYERS IS DISAPPROVED (*MAKRŪH*)

Ruling 884. Performing prayers is disapproved in a number of places, including:

1. a public bath;
2. on saliferous land;
3. facing a person;
4. facing an open door;
5. on a street, road, and in an alley, in the event that it does not cause trouble for passers-by; and in the event that it does cause them trouble, it is unlawful;

6. facing a fire or lamp;
7. in a kitchen and at every place where there is a furnace;
8. facing a pit or ditch where people urinate;
9. facing a picture or statue of a living thing, unless it is covered;
10. in a room where a *junub*²³ is present;
11. in a place where there is a picture, even if it is not facing the person performing prayers;
12. facing a grave;
13. on a grave;
14. in between two graves;
15. in a graveyard.

Ruling 885. If a person performs prayers in a place where people pass-by, or, if someone is in front of him, it is recommended that he places something in front of him; and it is sufficient if that thing is some wood or rope.

LAWS OF A MOSQUE

Ruling 886. It is unlawful to make the floor, ceiling, roof, and walls inside a mosque impure, and whoever finds out that it has become impure must immediately purify it. Furthermore, the recommended precaution is that the outside walls of the mosque should not be made impure as well, but if they become impure it is not necessary to purify them. However, if making the outside walls of a mosque impure amounts to disrespect of the mosque, it is of course unlawful, and it is necessary to purify them to the extent that it is no longer considered disrespectful.

Ruling 887. If someone cannot make a mosque pure or needs help to do so but does not find it, it is not obligatory on him to make it pure. However, in the event that he knows that if he informs someone else it would be done, then, if leaving the impurity as it is would cause disrespect to the mosque, he must inform the other person.

Ruling 888. If a place in a mosque becomes impure and it cannot

²³ *Junub* is the term used to refer to a person who is in the state of ritual impurity (*janābah*). *Janābah* is explained in Ruling 344.

be made pure without digging it up or demolishing it, the impure place must be dug up or demolished provided that it is only a little area or rectifying the disrespect caused to the mosque is dependent on digging up or demolishing it totally; otherwise, demolishing it is problematic [i.e. based on obligatory precaution, it must not be demolished]. Furthermore, filling the place that is dug up, or rebuilding the place that has been demolished, is not obligatory. However, if something like a brick of the mosque becomes impure, then after it is washed it must be put back in its original position, if possible.

Ruling 889. If someone usurps a mosque and builds a house or something similar in its place, or, if it becomes ruined to the extent that it can no longer be called a mosque, then making it impure is not unlawful, nor is it obligatory to purify it.

Ruling 890. It is unlawful to make the shrines of the Imams (ʿA) impure. If one of the shrines becomes impure, in the event that it remaining impure is disrespectful, it is obligatory to make it pure. In fact, the recommended precaution is that even if it is not disrespectful, it should be made pure.

Ruling 891. If the *ḥaṣīr*²⁴ or carpet of a mosque becomes impure, it must be washed, and if cutting out the impure part is better, it must be cut out. However, cutting out a considerable amount, or making it pure by causing damage to it, is problematic [i.e. based on obligatory precaution, it must not be done], unless leaving it causes disrespect.

Ruling 892. Taking something that is an intrinsic impurity, or something that has become impure by secondary means (*mutanajjis*), into a mosque is unlawful if it causes disrespect to the mosque. In fact, the recommended precaution is that even if it is not disrespectful, an intrinsic impurity should not be taken into a mosque unless it is something that naturally follows a person who enters a mosque, such as blood of a wound that is on one's body or clothing.

Ruling 893. If for the purposes of holding mourning ceremonies a mosque is draped in curtains and covered in rugs and black cloth,

²⁴ A mat that is made by plaiting or weaving straw, reed, or similar materials of plant origin.

and if utensils for serving tea are brought into it, then as long as these actions do not damage the mosque and do not obstruct the performing of prayers in it, there is no problem.

Ruling 894. The obligatory precaution is that a mosque must not be decorated with gold; and the recommended precaution is that it should not be decorated with things that have the form of a human being, or an animal, or anything else that has a soul.

Ruling 895. Even if a mosque is ruined, it is not permitted to sell it or to make it part of another property or road.

Ruling 896. Selling the doors, windows, and other things of a mosque is unlawful; and if a mosque becomes ruined, these things must be used solely for the renovation of the same mosque. And in the event that they are of no use to that mosque, they must be used in another mosque; and if they are of no use to any other mosques, they can be sold and the proceeds must be used solely for the renovation of that same mosque, if possible. If this is not possible either, the proceeds must be used on the renovation of another mosque.

Ruling 897. It is recommended to build a mosque and to renovate one that is close to ruin. If a mosque is ruined to the extent that it is not possible to renovate it, it can be demolished and rebuilt. In fact, in order to meet a need of the people, a mosque that is not ruined can be demolished and a bigger mosque built.

Ruling 898. It is recommended for one to clean a mosque and to turn on its lights. For someone who wants to visit a mosque, it is recommended to apply perfume, wear clean and good clothes, and to ensure that the soles of his shoes do not contain any impurity. When entering the mosque, it is recommended for one to place his right foot in first, and when leaving it, to exit by putting his left foot out first. It is also recommended that one should come to the mosque earlier than everyone else and to leave it later than everyone else.

Ruling 899. It is recommended that when a person enters a mosque, he should perform a two *rak'ah* prayer with the intention of saluting (*tahīyyah*) and respecting (*ihtirām*) the mosque; and if he performs

an obligatory prayer or another recommended prayer, it is sufficient.

Ruling 900. It is disapproved for a person to sleep in a mosque (unless he is compelled to), and to talk about worldly affairs, engage in craft, recite poetry (unless it exhorts people to good), and similar things. It is also disapproved to discharge nasal mucus, saliva, and phlegm in a mosque; in fact, in some cases it is unlawful. Furthermore, it is disapproved to look for something lost or to raise one's voice in a mosque; however, there is no problem in raising one's voice for *adhān*.

Ruling 901. It is disapproved to give access to an insane person to enter a mosque, and similarly, to a child if it causes trouble for those performing prayers there or there is a probability that the child would make the mosque impure. Apart from these two reasons, there is no problem in giving access to a child to enter a mosque; indeed, sometimes it is preferable to do so. Furthermore, if someone has eaten onions, garlic, or something similar, and whose breath would thereby annoy people, it is disapproved for him to go to a mosque.

THE CALL TO PRAYER (ADHĀN) AND THE CALL TO STAND FOR PRAYER (IQĀMAH)

Ruling 902. It is recommended for both men and women to say *adhān* and then *iqāmah* before the daily obligatory prayers; however, they have not been sanctioned in Islamic law (they are not *mashrūʿ*) for other obligatory or for recommended prayers. If Eid al-Fiṭr²⁵ and Eid al-Aḍḥā²⁶ prayers are performed in congregation, it is recommended to say '*aṣṣalāh*' three times before commencing them.

Ruling 903. It is recommended that on the day a child is born, or before his umbilical cord falls off, *adhān* is said in his right ear and *iqāmah* in his left.

Ruling 904. *Adhān* consists of the following eighteen sentences:

²⁵ The 1st of Shawwāl.

²⁶ The 10th of Dhū al-Ḥijjah.

- ×4 اللَّهُ أَكْبَرُ allāhu akbar
- ×2 أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ ashhadu al lā ilāha illal lāh
- ×2 أَشْهَدُ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ ashhadu anna muḥammadar
rasūlul lāh
- ×2 حَيَّ عَلَى الصَّلَاةِ ḥayya ‘alaṣ ṣalāh
- ×2 حَيَّ عَلَى الْفَلَاحِ ḥayya ‘alal falāḥ
- ×2 حَيَّ عَلَى خَيْرِ الْعَمَلِ ḥayya ‘alā khayril ‘amal
- ×2 اللَّهُ أَكْبَرُ allāhu akbar
- ×2 لَا إِلَهَ إِلَّا اللَّهُ lā ilāha illal lāh

Iqāmah consists of the following seventeen sentences:

- ×2 اللَّهُ أَكْبَرُ allāhu akbar
- ×2 أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ ashhadu al lā ilāha illal lāh
- ×2 أَشْهَدُ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ ashhadu anna muḥammadar
rasūlul lāh
- ×2 حَيَّ عَلَى الصَّلَاةِ ḥayya ‘alaṣ ṣalāh
- ×2 حَيَّ عَلَى الْفَلَاحِ ḥayya ‘alal falāḥ
- ×2 حَيَّ عَلَى خَيْرِ الْعَمَلِ ḥayya ‘alā khayril ‘amal
- ×2 قَدْ قَامَتِ الصَّلَاةُ qad qāmatīṣ ṣalāh
- ×2 اللَّهُ أَكْبَرُ allāhu akbar
- ×1 لَا إِلَهَ إِلَّا اللَّهُ lā ilāha illal lāh

Ruling 905. The sentence:

أَشْهَدُ أَنَّ عَلِيًّا وَليُّ اللَّهِ
ashhadu anna ‘aliyyaw waliyyul lāh

...is not a part of *adhān* and *iqāmah*, but it is good to say it after the sentence '*ashhadu anna muḥammadar rasūlul lāh*' with the intention of attaining proximity to Allah.

Translation of the sentences of *adhān* and *iqāmah*

اللَّهُ أَكْبَرُ	allāhu akbar	Allah is greater [than what He is described as].
أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ	ashhadu al lā ilāha illal lāh	I testify that there is no god but Allah.
أَشْهَدُ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ	ashhadu anna muḥammadar rasūlul lāh	I testify that Muḥammad is the messenger of Allah.
أَشْهَدُ أَنَّ عَلِيًّا وَلِيُّ اللَّهِ	ashhadu anna 'aliyyaw waliyyul lāh	I testify that 'Alī, the Commander of the Faithful, is the vicegerent of Allah.
حَيَّ عَلَى الصَّلَاةِ	ḥayya 'alaṣ ṣalāh	Hasten to prayers.
حَيَّ عَلَى الْفَلَاحِ	ḥayya 'alal falāh	Hasten to prosperity.
حَيَّ عَلَى خَيْرِ الْعَمَلِ	ḥayya 'alā khay-ril 'amal	Hasten to the best act.
قَدْ قَامَتِ الصَّلَاةُ	qad qāmatiṣ ṣalāh	Certainly, the prayer has been established.
لَا إِلَهَ إِلَّا اللَّهُ	lā ilāha illal lāh	There is no god but Allah.

Ruling 906. There must not be a long interval between the sentences of *adhān* and *iqāmah*; and if there is an interval between them that is longer than usual, they must be repeated from the beginning.

Ruling 907. If *adhān* and *iqāmah* are said in a manner that amounts to singing, i.e. in a manner that is in common with gatherings of entertainment and amusement, then it is unlawful. If it does not amount to singing [but is somewhat similar to singing], it is disapproved.

Ruling 908. Whenever a person performs two prayers that share a common time one after the other, if he says *adhān* for the first prayer, then saying it for the second prayer is excepted. This is irrespective

of whether or not it is better to join the two payers together, such as joining *ẓuhr* and *ʿaṣr* prayers on the Day of ʿArafah – which is the ninth day of the month of Dhū al-Ḥijjah – [when it is better to join the two prayers together] if one performs them within the prime time (*waqt al-faḍilah*)²⁷ of the *ẓuhr* prayer even if he is not in ʿArafāt. And [another example is] joining *maghrib* and *ʿishā* prayers on the eve of Eid al-Adḥā for one who is in Mashʿar al-Ḥarām and he joins them within the prime time of the *ʿishā* prayer.

Adhān being excepted in these cases is conditional upon there not being a long interval between the two prayers, and there is no problem if an interval occurs on account of performing *nāfilah* prayers or reciting *duʿā*'s after prayers (*taʿqibāt*). In these cases, the obligatory precaution is that *adhān* must not be said with the intention of it being an act that has been sanctioned in Islamic law; in fact, saying *adhān* in the two aforementioned cases on the Day of ʿArafah and in Mashʿar while observing the conditions that were mentioned is contrary to obligatory precaution [and therefore, *adhān* must not be said], even without the intention of it being an act that has been sanctioned in Islamic law.

Ruling 909. If *adhān* and *iqāmah* have been said for a congregational prayer, a person joining that congregation must not say *adhān* and *iqāmah* for his own prayers.

Ruling 910. If a person goes to the mosque to perform prayers and finds that congregational prayers are over, he does not have to say *adhān* and *iqāmah* for his own prayers as long as the rows have not broken up and the people have not dispersed; i.e. in such a case, saying them is not an emphasised recommended act. In fact, if he wants to say *adhān*, it is better that he does so in a very low voice. And if he wants to establish another congregational prayer, he must not say *adhān* and *iqāmah*.

Ruling 911. Apart from the case mentioned in the previous ruling, *adhān* and *iqāmah* become excepted if six conditions are fulfilled:

1. congregational prayers are performed in a mosque; if they are

²⁷ This refers to the early period of the prescribed time for a prayer during which there is more reward for performing it.

not performed in a mosque, then *adhān* and *iqāmah* are not excepted;

2. *adhān* and *iqāmah* have already been said for that prayer;
3. the congregational prayer is not invalid;
4. his prayer and the congregational prayer take place in one place; therefore, if the congregational prayer is performed inside a mosque and he wants to perform prayers on the mosque's roof top, it is recommended that he says *adhān* and *iqāmah*;
5. the congregational prayer is being performed within its prescribed time; but it is not a condition that his prayer is also one that is being performed within its prescribed time if he is performing it on his own;
6. his prayer and the congregational prayer are performed in a time that is common to both; for example, both perform *ẓuhr* prayers or both perform 'aṣr prayers, or the prayer that is performed in congregation is *ẓuhr* and he performs 'aṣr prayers, or he performs *ẓuhr* prayers and the congregational prayer is 'aṣr. However, if the congregational prayer is 'aṣr and it is being performed at the end of its prescribed time [and the rows have not yet broken up] and he wants to perform *maghrib* within its prescribed time, then *adhān* and *iqāmah* are not excepted.

Ruling 912. If a person has a doubt about the third condition mentioned above, i.e. he doubts whether or not the congregational prayer is valid, then saying *adhān* and *iqāmah* is excepted for him. However, if he doubts about one of the five other conditions, it is better that he says *adhān* and *iqāmah*; but if his prayer is in congregation, he must say them with the intention of *rajā'*.

Ruling 913. If someone hears another *adhān* that is said as an announcement or as a call to congregational prayers, it is recommended that he quietly repeats whichever part he hears.

Ruling 914. If someone hears another *adhān* and *iqāmah* – irrespective of whether he repeats after them or not – in the event that the interval between that *adhān* and *iqāmah* and the prayer that he wants to perform is not long, and he had the intention to perform prayers from the time he started hearing them, he can suffice with that *adhān*

and *iqāmah*. However, if only the imam or only the followers of a congregational prayer hear the *adhān*, this rule is problematic [i.e. based on obligatory precaution, he cannot suffice with it].

Ruling 915. If a man listens to an *adhān* said by a woman with the intention of deriving lustful pleasure, then saying *adhān* is not excepted for him; in fact, *adhān* being excepted by listening to the *adhān* of a woman in general is a problem [i.e. based on obligatory precaution, it is not excepted].

Ruling 916. The *adhān* and *iqāmah* of congregational prayers must be said by a man. However, in congregational prayers of women, if a woman says *adhān* and *iqāmah*, it is sufficient. Sufficing with the *adhān* and *iqāmah* said by a woman in a congregational prayer in which the men present are her *maḥram* is problematic [i.e. based on obligatory precaution, it does not suffice].

Ruling 917. *Iqāmah* must be said after *adhān*, and it is a requirement that *iqāmah* be said while one is standing and is in the state of ritual purity, i.e. while one has *wuḍūʾ*, *ghusl*, or *tayammum*.

Ruling 918. If a person says the sentences of *adhān* and *iqāmah* in the wrong order – for example, he says ‘*ḥayya ‘alāl falāḥ*’ before ‘*ḥayya ‘alāṣ ṣalāḥ*’ – he must repeat them from the place where the order was disturbed.

Ruling 919. There must not be an interval between *adhān* and *iqāmah*, and if an interval occurs to the extent that the *adhān* that was said cannot be regarded as being the *adhān* of that *iqāmah*, then the *adhān* is invalid. Also, if there is an interval between the *adhān* and *iqāmah* and the prayer to the extent that the *adhān* and *iqāmah* cannot be regarded as being those of the prayer, then the *adhān* and *iqāmah* become invalid.

Ruling 920. *Adhān* and *iqāmah* must be said in correct Arabic; therefore, if they are said in incorrect Arabic, or, if instead of one the letters another letter is said, or, for example, the Persian translation is said, then it is not correct.

Ruling 921. *Adhān* and *iqāmah* must be said after the time for prayer has set in. If a person says them before time – whether intentionally or forgetfully – they are invalid, except in the case when the time of prayer sets in during a prayer and the prayer is ruled as being valid, as explained in Ruling 731.

Ruling 922. If before saying *iqāmah* one doubts whether he said *adhān* or not, he must say *adhān*; but if while saying *iqāmah* he doubts whether he said *adhān* or not, then saying *adhān* is not necessary.

Ruling 923. If a person has started *adhān* or *iqāmah* and before saying some part of it he doubts whether he said the previous part or not, he must say the part about which he doubts; but if while saying some part of *adhān* and *iqāmah* he doubts whether he said the previous part or not, then saying it is not necessary.

Ruling 924. It is recommended that while saying *adhān*, one stands facing qibla, has *wuḍū'* or *ghusl*, places his hands on his ears, raises and extends his voice, briefly pauses between the sentences, and does not talk in between them.

Ruling 925. It is recommended that at the time of saying *iqāmah* one's body is still, and that he says it quieter than *adhān* and does not join the sentences together. However, the pauses in between the sentences of *iqāmah* should not be as long as they are in *adhān*.

Ruling 926. It is recommended that between *adhān* and *iqāmah*, one takes a step forward, or briefly sits down, or performs *sajdah*, or engages in remembering Allah (*dhikr*), or recites a *du'ā'*, or is briefly silent, or talks, or performs a two *rak'ah* prayer. However, talking between *adhān* and *iqāmah* of *ṣubḥ* prayers is not recommended.

Ruling 927. It is recommended that a person who is appointed to say *adhān* be just (*ʿādil*), know the timings, and have a loud voice. And it is recommended that *adhān* be said from an elevated place.

OBLIGATORY COMPONENTS OF THE PRAYER

There are eleven obligatory components of the prayer:

1. intention (*niyyah*);
2. standing (*qiyām*);
3. *takbīrat al-ihrām*, i.e. saying ‘*allāhu akbar*’ at the beginning of the prayer;
4. bowing (*rukūʿ*);
5. prostrating (*sujūd*);
6. recitation (*qirāʾah*);
7. declaring in *rukūʿ* and *sujūd* that Allah is free from imperfections (*dhikr*);
8. testifying (*tashahhud*);
9. salutation (*salām*);
10. sequence (*tartīb*);
11. close succession (*muwālāh*).

Ruling 928. Some of the obligatory components of the prayer are elemental (*rukṇ*), i.e. if one does not perform them – whether intentionally or mistakenly – the prayer is invalid. Some other obligatory components are not elemental, i.e. if they are omitted mistakenly, the prayer is not invalid. There are five *rukṇs* of the prayer:

1. intention;
2. *takbīrat al-ihrām* while standing;
3. standing that is joined to *rukūʿ*, i.e. standing before *rukūʿ*;
4. *rukūʿ*;
5. two *sajdahs* in one *rakʿah*.

If a *rukṇ* is intentionally performed more than the prescribed number of times, the prayer is invalid; however, if it is done mistakenly, and if the additional act is *rukūʿ* or two *sajdahs* in one *rakʿah*, then based on obligatory precaution, the prayer is invalid; otherwise, [if the additional act is not *rukūʿ* or two *sajdahs* in one *rakʿah*] it is not invalid.

INTENTION (NIYYAH)

Ruling 929. One must perform prayers with the intention of *qurbah* – i.e. in humility and obedience to the Lord of the worlds – and it is not necessary for him to make the intention pass through his heart, or, for example, for him to say ‘I am performing four *rak‘ahs* of the *zuhr* prayer *qurbatan ilal lāh* [to attain proximity to Allah]’.

Ruling 930. If a person makes the intention in *zuhr* or ‘*aṣr* prayers that ‘I am performing a four *rak‘ah* prayer’ but does not specify if it is the *zuhr* or ‘*aṣr* prayer, his prayer is invalid. However, it is sufficient if he specifies the *zuhr* prayer as the first prayer and the ‘*aṣr* prayer as the second prayer. And someone for whom, for example, it is obligatory to make up a *zuhr* prayer, if he wants to make up that prayer or perform the *zuhr* prayer within the prescribed time for *zuhr* prayers, he must specify in his intention which prayer he is performing.

Ruling 931. One must maintain the intention from the beginning of the prayer until its end; therefore, if during the prayer he becomes unmindful to the extent that were he to be asked ‘What are you doing?’ he would not know what to reply, his prayer is invalid.

Ruling 932. One must only perform prayers in humility to the Lord of the worlds; therefore, if one performs prayers ostentatiously – i.e. in order to show off to people – his prayer is invalid, irrespective of whether he does so solely for people, or partly for both Allah and partly for people.

Ruling 933. If someone performs part of the prayer for other than Allah – irrespective of whether that part is an obligatory one, such as the recitation of Surat al-Ḥamd, or a recommended one, such as *qunūt* – and if that intention permeates the entire prayer – for example, his ostentatious intention in the performance of an act is in order to show off his prayer – or, if in order to redress that part it would mean adding an act that invalidates the prayer [for example, in order to redress the *rukū‘* that he performed ostentatiously, he would need to perform another *rukū‘*, which would invalidate the prayer, as mentioned in Ruling 928], then in these cases, his prayer is invalid. And if one performs prayers for Allah but in order to show

off to people he performs it in a specific place such as a mosque, or at a particular time such as at the start of its prescribed time, or in a particular manner such as in congregation, then his prayer is invalid in these cases as well.

TAKBĪRAT AL-IHRĀM

Ruling 934. Saying '*allāhu akbar*' at the beginning of every prayer is obligatory and an elementary part of the prayer. The letters in '*allāh*' and '*akbar*' as well as the two words '*allāh*' and '*akbar*' must be said in succession. Furthermore, these two words must be pronounced in correct Arabic; if someone pronounces them in incorrect Arabic, or, for example, says their translation in Persian, it is not correct.

Ruling 935. The recommended precaution is that *takbīrat al-ihrām* should not be joined to anything that was said before it, such as the *iqāmah* or a *du'ā* that was recited before the *takbīr*.

Ruling 936. If a person wants to join '*allāhu akbar*' with something after it, for example, with '*bismil lāhīr raḥmānīr raḥīm*', it is better that the letter '*r*' in '*akbar*' be given a *ḍammah* [i.e. it would be pronounced '*akbaru*']. However, the recommended precaution is that one should not join it in obligatory prayers.

Ruling 937. When saying *takbīrat al-ihrām* in an obligatory prayer, the body must be still; if one intentionally says *takbīrat al-ihrām* while his body is moving, it is invalid.

Ruling 938. One must say *takbīr*, Surat al-Ḥamd, the other surah, *dhikr*, and *du'ā*'s in a manner that he at least hears his own voice. If he cannot hear it on account of being hard of hearing or deaf or there being too much noise, he must say them in a manner that he would have been able to hear them were there no impediment.

Ruling 939. If due to some reason one has become dumb or has some speech impediment that prevents him from saying '*allāhu akbar*', he must say it in whatever way he can. If he cannot say the *takbīr* at all, he must say it in his heart and indicate with his finger in a manner

that suitably conveys the words, and he must also move his tongue and lips if he can. As for someone who was born dumb, he must move his tongue and lips in a manner that resembles someone pronouncing the *takbīr* while also indicating with his finger.

Ruling 940. Before *takbīrat al-ihrām*, it is good that one says the following with the intention of *rajāʿ*:

يَا مُحْسِنُ قَدْ أَتَاكَ الْمُسِيءُ، وَقَدْ أَمَرْتَ الْمُحْسِنَ أَنْ يَتَجَاوَزَ عَنِ الْمُسِيءِ،
أَنْتَ الْمُحْسِنُ وَ أَنَا الْمُسِيءُ، بِحَقِّ مُحَمَّدٍ وَ آلِ مُحَمَّدٍ، صَلِّ عَلَى مُحَمَّدٍ وَ
آلِ مُحَمَّدٍ، وَ تَجَاوَزْ عَنِ فَيْحِ مَا تَعْلَمُ مِنِّي

yā muhsinu qad atākal musīy', wa qad amartal muhsina ay yatajāwaza
'anil musīy', antal muhsinu wa anal musīy', bihaqqi muḥammadiw wa āli
muḥammad, ṣalli 'alā muḥammadiw wa āli muḥammad, wa tajāwaz 'an
qabīhi mā ta'lamu minnī

O the Benevolent! A sinful person has come to You, and You have instructed the benevolent to overlook the sinner. You are the Benevolent and I am the sinner. By the right of Muḥammad and the progeny of Muḥammad, bless Muḥammad and the progeny of Muḥammad, and overlook my evil acts of which You are aware.

Ruling 941. When saying *takbīrat al-ihrām* of the prayer and the *takbīrs* during the prayer, it is recommended for one to raise his hands up to his ears.

Ruling 942. If a person doubts whether he has said *takbīrat al-ihrām* or not, in the event that he has started *qirā'ah*, he must not pay any attention to his doubt; but if he has not yet recited anything, he must say the *takbīr*.

Ruling 943. If after saying *takbīrat al-ihrām* one doubts whether he said it correctly or not, he must not pay any attention to his doubt, whether he has already started saying something or not.

STANDING (QIYĀM)

Ruling 944. Standing while saying *takbīrat al-iḥrām*, and standing before *rukūʿ* – which is called ‘the standing that is connected to the *rukūʿ*’ (*al-qiyām al-muttaṣil bil-rukūʿ*) – is a *rukṇ*. However, standing while reciting Surat al-Ḥamd and the other surah, and standing after *rukūʿ*, is not a *rukṇ*; and if one omits these forgetfully, his prayer is valid.

Ruling 945. It is obligatory to stand a short while before and after saying *takbīrat al-iḥrām* in order to be certain that *takbīr* has been said while standing.

Ruling 946. If a person forgets to perform *rukūʿ* and sits down [for *sajdah*] after Surat al-Ḥamd and the other surah and then remembers that he has not performed *rukūʿ*, he must stand up and then perform *rukūʿ*. If he does not stand up but instead performs *rukūʿ* whilst bending forward [as he gets up], it will not be sufficient as he will not have performed the standing that is connected to the *rukūʿ*.

Ruling 947. When one stands for *takbīrat al-iḥrām* or *qirāʾah*, he must not walk nor incline to one side. And based on obligatory precaution, he must not move his body nor voluntarily lean on anything; however, if he is compelled to, there is no problem.

Ruling 948. If while standing one forgetfully walks a little or inclines to one side or leans on something, there is no problem.

Ruling 949. The obligatory precaution is that while standing, both feet must be on the ground; however, it is not necessary for the weight of one’s body to be on both feet; and if the weight is on one foot, there is no problem.

Ruling 950. If someone who can stand properly spreads his feet so wide that it cannot be called [normal] standing, his prayer is invalid. In fact, based on obligatory precaution, one must not spread his feet very wide even if it can be called standing.

Ruling 951. While one is engaged in saying obligatory *dhikr* in prayers, his body must be still, and, based on obligatory precaution, [the same

applies] while he is engaged in saying recommended *dhikr* in prayers as well. If a person wants to move a little forwards or backwards or to move his body a little to the right or left, he must not say any *dhikr* [at the moment of moving].

Ruling 952. If a person says recommended *dhikr* while moving – for example, he says *takbīr* while going into *rukūʿ* or *sajdah* – in the event that he says it with the intention of it being a *dhikr* that has been prescribed in prayers, that *dhikr* is not valid but his prayer is valid. The [recommended] sentence:

يَحْوِلُ اللَّهُ وَ قُوَّتِهِ أَقْوَمُ وَ أَفْعَدُ

biḥawli lāhi wa qūwwatihi aqūmu wa aqʿud²⁸

...must be said while getting up [after the completion of a *rakʿah*].

Ruling 953. There is no problem in moving one's hands and fingers while reciting Surat al-Ḥamd, although the recommended precaution is that one should not move them.

Ruling 954. If while reciting Surat al-Ḥamd and the other surah, or while saying the four glorifications (*al-tasbiḥāt al-arbaʿah*),²⁹ one's body involuntarily moves a little such that the body is no longer still, the recommended precaution is that after his body becomes still again, he should repeat whatever he said while his body was moving.

Ruling 955. If a person becomes unable to stand while performing prayers, he must sit down; and if he is unable to sit down as well, he must lie down. However, he must not say any of the obligatory *dhikrs* until his body becomes still.

Ruling 956. As long as a person is able to perform prayers in a standing position, he must not sit down. For example, someone whose

²⁸ In keeping with the layout of the original work, the translation of this and most of the other Arabic parts of the prayer can be found after Ruling 1107 in the section titled 'Translation of prayers'. Therefore, in the forthcoming rulings, only the translation of those Arabic parts that do not appear in that section has been mentioned.

²⁹ That is, 'subḥānal lāhi wal ḥamdu lillāhi wa lā ilāha illal lāhu wal lāhu akbar'.

body shakes when he stands, or is compelled to lean on something or incline his body a little, must perform prayers in a standing position in whatever way he can. However, if he cannot stand at all, he must sit straight and perform prayers in a sitting position.

Ruling 957. As long as one can sit, he must not perform prayers in a lying position, and if he cannot sit straight he must sit in whatever way he can. If he cannot sit at all, he must – as mentioned in the rules relating to qibla – lie on his side in a way that the front part of his body faces qibla. And as long as it is possible for him to lie on his right side, he must not – based on obligatory precaution – lie on his left side; and if neither of these are possible, he must lie on his back with the soles of his feet facing qibla.

Ruling 958. With regard to someone who performs prayer in a sitting position, if after reciting Surat al-Hamd and the other surah he can stand and perform *rukūʿ* in a standing position, he must stand up and from a standing position go into *rukūʿ*; but if he cannot stand and perform *rukūʿ* in a standing position, he must perform *rukūʿ* sitting.

Ruling 959. With regard to one who performs prayers lying down, if he can sit during prayers, he must do so as much as he is able to. Similarly, if he can stand, he must do so as much as he is able to. However, as long as his body is not still, he must not say any of the obligatory *dhikrs*. And if he knows that he can stand for only a short while, he must do so specifically for the standing that is connected to the *rukūʿ*.

Ruling 960. If someone who performs prayers in a sitting position can stand during prayers, he must perform prayers in a standing position as much as he is able to. However, as long as his body is not still, he must not say any of the obligatory *dhikr*. And if he knows that he can stand for only a short while, he must do so for the standing that is connected to the *rukūʿ*.

Ruling 961. If someone who can stand fears that by standing he will become ill or that he will be harmed, he can perform prayers in a sitting position; and if he also fears [illness or harm] from sitting, he can perform prayers in a lying position.

Ruling 962. If a person has not lost hope in being able to perform prayers in a standing position by the end of the prescribed time for the prayer, in the event that he performs prayers at the beginning of the prescribed time [sitting] and he is able to stand at the end of the prescribed time, he must perform the prayer again [standing]. However, if he has lost hope in being able to perform prayers in a standing position and performs prayers at the beginning of the prescribed time [sitting] and then he is able to stand, it is not necessary for him to repeat the prayer.

Ruling 963. It is recommended that while standing, one stands upright, lowers his shoulders, places his hands on his thighs, closes his fingers together, looks at the place of *sajdah*, places the weight of his body equally on both feet, stands humbly and submissively, and keeps both his feet in line. Furthermore, it is recommended for men to spread their feet between the measure of three open fingers and one hand span, and for women to keep their feet together.

RECITATION (QIRĀ'AH)

Ruling 964. In the first and second *rak'ahs* of the daily obligatory prayers, one must recite Surat al-Hamd followed by another surah; and based on obligatory precaution, [the second surah] must be a complete surah. Also based on obligatory precaution, 'Surat al-Duḥā'³⁰ and 'Surat al-Sharḥ',³¹ and similarly 'Surat al-Fil'³² and 'Surah Quraysh',³³ are counted as one surah in prayers.

Ruling 965. If the time for prayers is short, or one is compelled to not recite the other surah – for example, he fears that if he recites the other surah, a thief, wild animal, or something else will harm him – or if he has some urgent matter to attend to, in these cases, he can leave out reciting the other surah. In fact, when time is short and in some cases where one is fearful, he must not recite the other surah.

³⁰ Chapter 93 of the Qur'an.

³¹ Chapter 94 of the Qur'an.

³² Chapter 105 of the Qur'an.

³³ Chapter 106 of the Qur'an.

Ruling 966. If a person intentionally recites the other surah before Surat al-Ḥamd, his prayers are invalid; and if he mistakenly recites the other surah before Surat al-Ḥamd and realises his mistake while he is reciting it, he must stop reciting it, recite Surat al-Ḥamd, and then recite the other surah from the beginning.

Ruling 967. If a person forgets to recite Surat al-Ḥamd and the other surah, or one of them, and realises this after going into *rukūʿ*, his prayers are valid.

Ruling 968. If before bending for *rukūʿ* one realises that he has not recited Surat al-Ḥamd and the other surah, he must recite them. And if he realises that he has [recited Surat al-Ḥamd but] not the other surah, he must recite only the other surah. However, if he realises that he has not recited Surat al-Ḥamd only, he must first recite Surat al-Ḥamd and then he must recite the other surah again. Similarly, if one bends forward but before getting into the *rukūʿ* position he realises that he has not recited Surat al-Ḥamd and the other surah, or only the other surah, or only Surat al-Ḥamd, he must stand up straight and act according to what has been mentioned earlier in this ruling.

Ruling 969. If during obligatory prayers one intentionally recites one of the four surahs that contain an obligatory *sajdah* – as mentioned in Ruling 354 – it is obligatory that he performs *sajdah* after reciting the verse of *sajdah*. However, based on obligatory precaution, by performing the *sajdah* his prayer becomes invalid and it is obligatory that he performs the prayer again unless he performed the *sajdah* forgetfully. If he does not perform the *sajdah*, he can continue with the prayer but he will have committed a sin for not performing the *sajdah*.

Ruling 970. If a person starts to recite a surah that contains an obligatory *sajdah* – whether he does so intentionally or inadvertently – in the event that he realises this before reciting the verse that contains the obligatory *sajdah*, he can stop reciting that surah and recite another surah instead; and if he realises after reciting the verse that contains the obligatory *sajdah*, he must act according to the instructions mentioned in the previous ruling.

Ruling 971. If during prayers one listens to a verse that contains an obligatory *sajdah*, his prayer is valid; and based on obligatory precaution, if this happens during an obligatory prayer, he must make an indication for *sajdah*,³⁴ and after the prayer he must perform the *sajdah*.

Ruling 972. In recommended prayers, it is not necessary to recite the other surah even if that prayer has become obligatory on account of a vow. However, in some recommended prayers, such as the prayer of loneliness (*ṣalāt al-wahshah*),³⁵ that require a specific surah to be recited, if one wants to act according to the rules of that prayer, he must recite the specified surah.

Ruling 973. It is recommended that in the Friday prayer, and in *ṣubḥ*, *zuhr*, and *ʿaṣr* prayers on Friday, and in *ʿishā* prayers on Thursday night, one should recite Surat al-Jumuʿah³⁶ in the first *rakʿah* after Surat al-Ḥamd, and Surat al-Munāfiqūn³⁷ in the second *rakʿah* after Surat al-Ḥamd. If a person begins reciting one of these surahs in prayers on Friday, then based on obligatory precaution, he cannot leave it and recite another surah.

Ruling 974. If after Surat al-Ḥamd one begins reciting Surat al-Ikhlāṣ³⁸ or Surat al-Kāfirūn,³⁹ he cannot leave it and recite another surah instead. However, in the Friday prayer and the prayers on Friday, if one forgetfully recites one of those two surahs instead of Surat al-Jumuʿah and Surat al-Munāfiqūn, he can leave it and recite Surat Jumuʿah and Surat al-Munāfiqūn instead; however, the recommended precaution is that one should not leave it [i.e. Surat al-Ikhlāṣ or Surat al-Kāfirūn] after having recited half of it.

Ruling 975. If in the Friday prayer or prayers on Fridays one intentionally recites Surat al-Ikhlāṣ or Surat al-Kāfirūn, then even if he has not reached half of it, he cannot, based on obligatory precaution,

³⁴ He could do this by, for example, bowing his head slightly to signify *sajdah*.

³⁵ See Ruling 627.

³⁶ Chapter 62 of the Qurʿan.

³⁷ Chapter 63 of the Qurʿan.

³⁸ Chapter 112 of the Qurʿan.

³⁹ Chapter 109 of the Qurʿan.

leave it and recite Surat al-Jumu'ah and Surat al-Munāfiqūn instead.

Ruling 976. If in prayers a person recites a surah other than Surat al-Ikhlāṣ and Surat al-Kāfirūn, and if he has not recited up to half of it, he can leave it and recite another surah instead. However, if he has recited half of it, then based on obligatory precaution, it is not permitted for him to leave it and change to another surah.

Ruling 977. If a person forgets a part of the other surah or he is unable to complete it due to some compelling reason, such as shortness of time, he can leave that surah and recite another surah instead even if he has reached half of it and even if the surah he is reciting is al-Ikhlāṣ or al-Kāfirūn. And in the case of forgetfulness, he can suffice with the amount he has recited [and he does not need to recite another full surah].

Ruling 978. Based on obligatory precaution, it is obligatory for a man to recite Surat al-Ḥamd and the other surah aloud (*jahr*) in *ṣubḥ*, *maghrib*, and '*ishā*' prayers. And based on obligatory precaution, it is obligatory for a man and a woman to recite Surat al-Ḥamd and the other surah in *ẓuhr* and '*aṣr*' in a whisper (*ikhfāt*).

Ruling 979. Based on obligatory precaution, a man must recite Surat al-Ḥamd and the other surah aloud in *ṣubḥ*, *maghrib*, and '*ishā*' prayers; and he must be careful that he recites all the words of Surat al-Ḥamd and the other surah aloud, even their last letters.

Ruling 980. A woman can recite Surat al-Ḥamd and the other surah in *ṣubḥ*, *maghrib*, and '*ishā*' prayers aloud or in a whisper. However, if someone who is not her *maḥram* can hear her voice and it is an instance of when it is unlawful to make her voice heard by someone who is not her *maḥram*, then she must recite them in a whisper. And if she intentionally recites them aloud, then based on obligatory precaution, her prayer is invalid.

Ruling 981. If when one must recite aloud he intentionally recites in a whisper, or, if when one must recite in a whisper he intentionally recites aloud, then based on obligatory precaution, his prayer is invalid. However, if he does this due to forgetfulness or not knowing

the ruling, his prayer is valid. If while reciting Surat al-Ḥamd or the other surah he realises that he has made a mistake, it is not necessary for him to repeat what he has already recited.

Ruling 982. If while reciting Surat al-Ḥamd and the other surah one raises his voice higher than what is normal, as if he is shouting, his prayer is invalid.

Ruling 983. One must correctly recite *qirā'ah* of the prayer. If someone cannot in any way recite the whole of Surat al-Ḥamd correctly, he must recite it in the way he can provided that the amount he recites correctly is significant. However, if that amount is insignificant, then based on obligatory precaution, he must add to it an amount of the Qur'an that he can recite correctly. If he cannot do this, he must add to it *tasbiḥ* [i.e. saying '*subḥānal lāh*']. However, if someone cannot recite the other surah correctly at all, it is not necessary for him to recite something else in its place. In all the above cases, the recommended precaution is that such a person should perform prayers in congregation.

Ruling 984. One who does not know Surat al-Ḥamd well must try to perform his duty, whether that be by learning it, or by inculcating it in himself, or by following in congregational prayers, or by repeating the prayer whenever he doubts the correctness of his recitation. If time is short and he performs the prayer as stated in the previous ruling, his prayer is valid. However, if he has been negligent in learning and if it is possible, he must, in order to escape punishment, perform his prayers in congregation.

Ruling 985. Based on obligatory precaution, taking wages for teaching obligatory acts of the prayer is unlawful. However, taking wages for teaching recommended acts of the prayer is permissible.

Ruling 986. If a person intentionally or on account of culpable ignorance (*al-jahl al-taqṣīrī*)⁴⁰ does not recite one of the words of Surat al-Ḥamd or the other surah, or in place of one of the letters he utters another letter – for example, instead of 'ض', he says 'ذ' or 'ز', or he

⁴⁰ Culpable ignorance is when someone does not have a valid excuse for not knowing; for example, he was careless in learning religious laws.

does not correctly observe the *fathah* [—] and *kasrah* [—] of words such that his recitation is considered wrong, or he does not pronounce with *tashdīd* [—] [when he is supposed to] – then in these cases, his prayer is invalid.

Ruling 987. If a person considers a word that he has learned to be correct and recites it in the same way in prayers, and later he realises that it was wrong, it is not necessary for him to repeat his prayers again.

Ruling 988. If a person does not know the *fathah* and *kasrah* of a particular word, or, for example, he does not know whether a particular word is spelt with a ‘ه’ or a ‘ح’, he must perform his duty in some way; for example, he must learn it, or perform prayers in congregation, or recite it in two or more ways so that he is certain that he has recited it correctly. However, in such a case, his prayer is deemed to be valid only if that wrong sentence can be commonly considered as being from the Qur’an or as being a *dhikr*.

Ruling 989. The scholars of *tajwīd*⁴¹ have said that if a word contains the letter ‘wāw’ [و], and the letter before the wāw has a *ḍammah* [—], and the letter after the wāw is a *hamzah* [ء] – as in the word سُوء [sū] – then the wāw must be given a *madd* [—], i.e. its recitation must be prolonged. Similarly, if a word contains the letter ‘alif’ [ا], and the letter before the alif has a *fathah*, and the letter after the alif is a *hamzah* – as in the word جَاءَ [jā] – then the recitation of the alif must be prolonged. Furthermore, if a word contains the letter ‘yā’ (ي), and the letter before the yā’ has a *kasrah*, and the letter after the yā’ is a *hamzah* – as in the word جِيءَ [jī] – then the yā’ must be pronounced with a *madd*. And if after these letters (wāw, alif, and yā’) there is a letter other than *hamzah* that has a *sākin* [—], i.e. it does not have a *fathah*, *kasrah*, or *ḍammah*, then again these letters must be recited with a *madd*. However, apparently, the validity of the *qirā’ah* in such cases does not depend on reciting such words with a *madd*, and so in the event that one does not follow the above rules his prayer is still valid. However, in a case like لَا الضَّالِّينَ [wa laḍ ḍāllīn]⁴² where

⁴¹ *Tajwīd* is the discipline of reciting the Qur’an correctly.

⁴² The last words of Surat al-Ḥamd.

the *tashdīd* and the *alif* must be prolonged, one must prolong them to the same extent.

Ruling 990. The recommended precaution is that in prayers one should not stop on a letter that has a vowel, nor join a letter that has a *sukūn*. The meaning of stopping on a letter that has a vowel is that one pronounces the *fathah*, *kasrah*, or *dammah* of the last letter in a word and then pauses between that word and the next. For example, when he recites الرَّحْمَنُ الرَّحِيمُ [arrahmānir rahīm], he pronounces the *kasrah* of the letter *mīm* [م] in الرَّحِيمِ [arrahīm], so that it is pronounced ‘arrahīmi’ and then pauses briefly before reciting the next verse مَلِكِ يَوْمِ الدِّينِ [māliki yawmid dīn]. And the meaning of joining a letter that has a *sukūn* is that one does not pronounce the *fathah*, *kasrah*, or *dammah* of the last letter in a word and then joins that word with the next; for example, when he recites الرَّحْمَنُ الرَّحِيمُ [arrahmānir rahīm], he does not pronounce the *kasrah* of the letter *mīm* [م] in الرَّحِيمِ [arrahīm] and then immediately recites مَلِكِ يَوْمِ الدِّينِ [māliki yawmid dīn].

Ruling 991. In the third and fourth *rak‘ahs* of prayers, a person can either recite one Surat al-Ḥamd or say one *al-tasbīhāt al-arba‘ah*, i.e. he can say once:

سُبْحَانَ اللَّهِ وَالْحَمْدُ لِلَّهِ وَلَا إِلَهَ إِلَّا اللَّهُ وَاللَّهُ أَكْبَرُ

subhānal lāhi wal ḥamdu lillāhi wa lā ilāha illal lāhu wallāhu akbar

...and it is better that he says this three times. And a person can recite Surat al-Ḥamd in one *rak‘ah* and say *al-tasbīhāt al-arba‘ah* in the second *rak‘ah*, although it is better that he says *al-tasbīhāt al-arba‘ah* in both the *rak‘ahs*.

Ruling 992. If time is short, one must say *al-tasbīhāt al-arba‘ah* once, and if one does not have time for even that, it is sufficient to say *subhānal lāh* once.

Ruling 993. Based on obligatory precaution, it is obligatory for men and women to recite Surat al-Ḥamd and to say *al-tasbīhāt al-arba‘ah* in a whisper in the third and fourth *rak‘ahs* of the prayer.

Ruling 994. If a person recites Surat al-Ḥamd in the third and fourth *rak'ahs*, it is not obligatory on him to also recite its *bismillāh* in a whisper, except if he is a follower in congregational prayers, in which case the obligatory precaution is that he also recites *bismillāh* in a whisper.

Ruling 995. A person who cannot learn *al-tasbīḥāt al-arba'ah* or cannot say it correctly must recite Surat al-Ḥamd in the third and fourth *rak'ahs*.

Ruling 996. If a person says *al-tasbīḥāt al-arba'ah* in the first two *rak'ahs* of prayers thinking that he is performing the last two *rak'ahs*, in the event that he realises this before *rukū'*, he must recite Surat al-Ḥamd and the other surah; and if he realises this during or after *rukū'*, his prayer is valid.

Ruling 997. If a person recites Surat al-Ḥamd in the last two *rak'ahs* of prayers thinking that he is performing the first two *rak'ahs*, or, if one recites it in the first two *rak'ahs* supposing that he is performing the last two *rak'ahs*, his prayer is valid whether he realises this before or after *rukū'*.

Ruling 998. If a person wants to recite Surat al-Ḥamd in the third or fourth *rak'ahs* but happens instead to say *al-tasbīḥāt al-arba'ah*, or, if one wants to say *al-tasbīḥāt al-arba'ah* but happens instead to recite Surat al-Ḥamd, then, in the event that he did not have the intention of prayers at all, not even subconsciously, he must leave whatever it was he was saying and recite Surat al-Ḥamd or say *al-tasbīḥāt al-arba'ah* again. However, if it was not the case that he did not have the intention of prayers but rather it was his habit to say that thing, he can complete what he was saying and his prayer is valid.

Ruling 999. With regard to someone who has a habit of saying *al-tasbīḥāt al-arba'ah* in the third and fourth *rak'ahs*, if he ignores his habit and with the intention of performing his duty starts reciting Surat al-Ḥamd, it will suffice and it is not necessary for him to recite Surat al-Ḥamd or to say *al-tasbīḥāt al-arba'ah* again.

Ruling 1000. In the third and fourth *rak'ahs*, it is recommended

that after *al-tasbīhāt al-arbaʿah* one seeks forgiveness by saying, for example:

أَسْتَغْفِرُ اللَّهَ رَبِّي وَأَتُوبُ إِلَيْهِ

astaghfirul lāha rabbī wa atūbu ilayh

...or:

اَللّٰهُمَّ اغْفِرْ لِي

allāhummagh fir lī

O Allah! Forgive me.

If before seeking forgiveness and bending for *rukūʿ* one doubts whether or not he has recited Surat al-Ḥamd or said *al-tasbīhāt al-arbaʿah*, he must recite Surat al-Ḥamd or say *al-tasbīhāt al-arbaʿah*; and if he doubts it while seeking forgiveness or after it, then again he must, based on obligatory precaution, recite Surat al-Ḥamd or say *al-tasbīhāt al-arbaʿah*.

Ruling 1001. If in the *rukūʿ* of the third or fourth *rakʿahs* or while going into *rukūʿ* one doubts whether or not he has recited Surat al-Ḥamd or said *al-tasbīhāt al-arbaʿah*, he must not give heed to his doubt.

Ruling 1002. Whenever one doubts whether or not he has pronounced a verse or a word correctly – for example, he doubts whether or not he recited *قُلْ هُوَ اللَّهُ أَحَدٌ* [*qul huwal lāhu aḥad*]⁴³ correctly – he can ignore his doubt. However, if he repeats that verse or word in a correct manner as a precautionary measure, there is no problem; and even if he doubts it several times he can repeat it several times. However, if it becomes obsessive it is better not to repeat it.

Ruling 1003. It is recommended that in the first *rakʿah* before reciting Surat al-Ḥamd, one says:

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ

aʿūdhu billāhi minash shayṭānir rajīm

⁴³ The first verse of Surat al-Ikhlās.

I seek refuge in Allah from the outcast Satan.

And [it is recommended that] in the first and second *rak'ahs* of *zuhr* and *'aṣr* prayers, one recites '*bismillāh*' aloud, and recites Surat al-Ḥamd and the other surah distinctly, and pauses at the end of every verse – i.e. he does not join it with the next verse – and while reciting Surat al-Ḥamd and the other surah, [it is recommended that] he pays attention to the meaning of the verses. Furthermore, if he is performing prayers in congregation, then after the Imam has completed the recitation of Surat al-Ḥamd, or, if he is performing prayers on his own, after he has completed the recitation of Surat al-Ḥamd, [it is recommended that] he says:

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ

alḥamdu lillāhi rabbil 'ālamīn

All praise is for Allah, Lord of the worlds.

...and after completing the recitation of Surat al-Ikhlāṣ, [it is recommended that] he either says:

كَذَلِكَ اللَّهُ رَبِّي

kadhālikal lāhu rabbī

Such is Allah my Lord.

...or:

كَذَلِكَ اللَّهُ رَبُّنَا

kadhālikal lāhu rabbunā

Such is Allah our Lord.

...once, twice, or three times. And [it is also recommended that] after reciting the other surah, he should pause for a short while and then say the *takbīr* before *rukū'* or *qunūt*.

Ruling 1004. It is recommended that in all the prayers, one should recite Surat al-Qadr⁴⁴ in the first *rak'ah* and Surat al-Ikhlāṣ in the second.

⁴⁴ Chapter 97 of the Qur'an.

Ruling 1005. It is disapproved for one to not recite Surat al-Ikhlās [at least once] in any of the daily prayers.

Ruling 1006. Reciting Surat al-Ikhlās in one breath is disapproved.

Ruling 1007. It is disapproved to recite the same surah in the second *rak'ah* that one has recited in the first *rak'ah*; however, it is not disapproved if one recites Surat al-Ikhlās in both *rak'ahs*.

BOWING (RUKŪ')

Ruling 1008. In every *rak'ah* after *qirā'ah*, one must bend forward to the extent that he can place all his fingertips, including his thumb, on his knees. This action is called '*rukū'*'.

Ruling 1009. If a person bends forward to the extent of *rukū'* but does not place his fingertips on his knees, there is no problem.

Ruling 1010. If a person performs *rukū'* in an unusual manner – for example, he bends towards the left or right side, or he bends his knees forward – then even if his hands reach his knees, it is invalid.

Ruling 1011. The bending forward must be done with the intention of performing *rukū'*; therefore, if it is done with some other intention – for example, in order to kill an animal – then one cannot consider it as *rukū'*. Instead, he must stand up straight and then bend forward again for *rukū'*; and by doing this, a *rukū'* is not added and the prayer does not become invalid.

Ruling 1012. If a person's arms or knees are different to those of others – for example, his arms are very long such that if he bends a little his hands reach his knees, or his knees are lower than those of others such that he must bend a lot for his hands to reach his knees – in these cases, he must bend forward to the usual extent [as other people do].

Ruling 1013. One who performs *rukū'* while sitting must bend forward to the extent that his face is positioned directly opposite his knees;

and it is better that he bends forward to the extent that his face is positioned directly opposite the place of *sajdah*.

Ruling 1014. It is better that when one has the option to, he says in *rukūʿ*:

×3 سُبْحَانَ اللَّهِ *subḥānal lāh*

...or:

×1 سُبْحَانَ رَبِّيَ الْعَظِيمِ وَ بِحَمْدِهِ *subḥāna rabbiyal 'aẓīmi wa biḥamdih*

...although saying any *dhikr* suffices; and based on obligatory precaution [the other *dhikr*] must be of this length. However, if time is short or if one is compelled to, then saying *subḥānal lāh* once suffices. And someone who cannot say *subḥāna rabbiyal 'aẓīmi wa biḥamdih* properly must say another *dhikr*, such as *subḥānal lāh*, three times.

Ruling 1015. The *dhikr* of *rukūʿ* must be said consecutively and in correct Arabic; and it is recommended that one says it three, five, seven, or even more times.

Ruling 1016. While performing *rukūʿ*, one's body must be still and he must not intentionally move his body in a manner that it is no longer still, even when – based on obligatory precaution – he is not saying an obligatory *dhikr*. If a person intentionally does not observe this requirement to be still, then based on obligatory precaution, his prayer is invalid even if he says *dhikr* while his body is still.

Ruling 1017. If at the time of saying the obligatory *dhikr* of *rukūʿ* one's body moves inadvertently or unintentionally to the extent that it is no longer still, it is better that after his body has become still once more he says the *dhikr* again. However, if his body moves a little such that it does not stop becoming still, or, if he moves his fingers, there is no problem.

Ruling 1018. If a person, before bending all the way forward to the position of *rukūʿ* and before his body becomes still, intentionally says the *dhikr* of *rukūʿ*, his prayer is invalid unless he says the *dhikr* of

rukūʿ again while his body is still; and if he does this inadvertently, it is not necessary to say it again.

Ruling 1019. If a person intentionally raises his head from *rukūʿ* before completing the obligatory *dhikr*, his prayer is invalid. However, if he raises his head inadvertently, then repeating the *dhikr* is not necessary.

Ruling 1020. If a person cannot remain in the position of *rukūʿ* for the length of the *dhikr* – not even for saying one *subhānal lāh*, even without being still – it is not obligatory for him to say it. However, the recommended precaution is that he says the *dhikr* even if he says the rest of it while rising from *rukūʿ* with a general intention of attaining proximity to Allah (*qaṣd al-qurbah al-muṭlaqah*) [i.e. with the intention of attaining proximity to Allah without specifying that it is an obligatory *dhikr* of the prayer]; or he should start before that [i.e. he should start saying the *dhikr* before he has reached the position of *rukūʿ* with a general intention of attaining proximity to Allah].

Ruling 1021. If due to some illness or suchlike one cannot become still in *rukūʿ*, his prayer is valid. However, before coming out of the *rukūʿ* position, he must say the obligatory *dhikr* in the manner mentioned in the previous ruling.

Ruling 1022. If a person cannot bend forward to the extent of *rukūʿ*, he must lean on something and perform *rukūʿ*. And if when he leans on something he still cannot perform *rukūʿ* in a normal manner, he must bend forward to the extent that it can be commonly considered to be *rukūʿ*. And if he cannot bend forward to even this extent, he must perform *rukūʿ* by indicating with his head.

Ruling 1023. If someone whose duty is to make an indication with his head for *rukūʿ* cannot do so, he must close his eyes with the intention of performing *rukūʿ* and say the *dhikr* and then open his eyes with the intention of rising from *rukūʿ*. And if he is unable to do this, he must make an intention in his heart of performing *rukūʿ*; and based on obligatory precaution, he must make an indication with his hand for *rukūʿ* and say the *dhikr*. In this case, if it is possible, he must – based on obligatory precaution – combine this act with

indicating for *rukūʿ* while sitting [i.e. he must perform prayers while standing and perform the *rukūʿ*s by making an intention in his heart of performing *rukūʿ*, indicate with his hand, and say the *dhikr*; and he must also perform prayers again and perform the *rukūʿ*s while sitting and indicate with his head].

Ruling 1024. Someone who cannot perform *rukūʿ* in a standing position but can bend forward for *rukūʿ* while sitting must perform prayers in a standing position, and for *rukūʿ*, he must indicate with his head. And the recommended precaution is that he should perform another prayer, and for the *rukūʿ*s he should sit down and bend forward.

Ruling 1025. If a person intentionally raises his head after reaching the position of *rukūʿ*, and again bends forward to the extent of *rukūʿ*, his prayer is invalid.

Ruling 1026. After completing the *dhikr* of *rukūʿ* one must stand straight; and based on obligatory precaution, after his body has become still he must go into *sajdah*. If he intentionally goes into *sajdah* before standing, his prayer is invalid; and the same applies, based on obligatory precaution, if he intentionally goes into *sajdah* before his body has become still.

Ruling 1027. If a person forgets to perform *rukūʿ* and remembers this before he performs *sajdah*, he must stand upright and then perform *rukūʿ*; and it will not suffice if he performs *rukūʿ* while in the state of bending forward [not having stood upright].

Ruling 1028. If after one's forehead touches the ground he remembers that he did not perform *rukūʿ*, it is necessary that he stands up and performs *rukūʿ*; and in case he remembers in the second *sajdah*, then based on obligatory precaution, his prayer is invalid.

Ruling 1029. It is recommended that before a person goes into *rukūʿ* and while standing straight he says *takbīr*. It is recommended that when a man performs *rukūʿ*, he should push back his knees, keep his back flat, stretch his neck forward and keep it in line with his back, look between his feet, invoke blessings upon Prophet Muḥammad (S)

and his progeny (*ṣalawāt*) before or after the *dhikr*; and after rising from *rukūʿ* and standing straight, and while his body is still, he should say:

سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ

samiʿal lāhu liman ḥamidah

Ruling 1030. It is recommended that when a woman performs *rukūʿ*, she should place her hands above her knees and not push back her knees.

PROSTRATING (*SUJŪD*)

Ruling 1031. In every *rakʿah* of the obligatory and recommended prayers, one must perform two *sajdahs* after *rukūʿ*. A *sajdah* is performed when one places his forehead on the ground in a particular manner with the intention of humility [before Allah]. While performing a *sajdah* in prayers, it is obligatory that the palms of both hands, both knees, and both big toes are placed on the ground. Based on obligatory precaution, [for the purposes of *sajdah*] the ‘forehead’ refers to its middle area, i.e. the rectangular area when two imaginary lines are drawn between the eyebrows in the middle of the forehead up to the point that the hair grows.

Ruling 1032. Two *sajdahs* together comprise one *rukʿah*, and if someone does not perform both of them in obligatory prayers in one *rakʿah* – even if this is due to forgetfulness or not knowing the ruling – his prayer is invalid. The same applies, based on obligatory precaution, if one adds two *sajdahs* in one *rakʿah* forgetfully or due to ‘inculpable ignorance’ (*al-jahl al-quṣūrī*). (Inculpable ignorance is when someone has a valid excuse for not knowing).

Ruling 1033. If a person intentionally does not perform a *sajdah* or adds a *sajdah*, his prayer becomes invalid; but if he inadvertently does not perform a *sajdah* or adds one, his prayer does not become invalid. The rule relating to when a *sajdah* is not performed will be mentioned later.

Ruling 1034. If someone who can place his forehead on the ground, intentionally or inadvertently does not place it on the ground, he has not performed *sajdah* even if the other parts of his body touch the ground. However, if he places his forehead on the ground and inadvertently does not place the other parts of his body on the ground or inadvertently does not say *dhikr*, his *sajdah* is valid.

Ruling 1035. When one has the option to, it is better that in *sajdah* he says:

×3 سُبْحَانَ اللَّهِ subhānal lāh

...or:

×1 سُبْحَانَ رَبِّيَ الْأَعْلَىٰ وَ بِحَمْدِهِ subhāna rabbiyal a'la wa biḥamdih

...and these words must be said consecutively and in correct Arabic. Saying any *dhikr* suffices, but based on obligatory precaution, it must be of this length. And it is recommended that one says *subhāna rabbiyal a'la wa biḥamdih* three, five, seven, or even more times.

Ruling 1036. While performing *sujūd*, one's body must be still, and he must not intentionally move his body in a manner that it is no longer still, even when – based on obligatory precaution – he is not saying an obligatory *dhikr*.

Ruling 1037. If a person intentionally says the *dhikr* of *sajdah* before his forehead touches the ground and before his body becomes still, his prayer is invalid unless he says the *dhikr* again when his body is still. And if he intentionally raises his head from *sajdah* before completing the *dhikr*, his prayer is invalid.

Ruling 1038. If a person inadvertently says the *dhikr* of *sajdah* before his forehead touches the ground, and if before he lifts his head from *sajdah* he realises that he has made a mistake, he must remain still and say the *dhikr* again. However, if his forehead touches the ground and he inadvertently says the *dhikr* before his body is still, it is not necessary to repeat the *dhikr*.

Ruling 1039. If after one raises his head from *sajdah* he realises that he raised his head before he completed the *dhikr* of *sajdah*, his prayer is valid.

Ruling 1040. If while saying the *dhikr* of *sajdah* one intentionally raises one of the seven parts of the body from the ground, and if this is inconsistent with the requirement for the body to be still in *sujūd*, the prayer is invalid. The same applies, based on obligatory precaution, when he is not saying the *dhikr*.

Ruling 1041. If before completing the *dhikr* of *sajdah* one inadvertently raises his forehead from the ground, he must not place it on the ground again, and he must count it as one *sajdah*. However, if he inadvertently raises another part of his body from the ground, he must place it back on the ground and say the *dhikr*.

Ruling 1042. After completing the *dhikr* of the first *sajdah*, one must sit until his body becomes still and then go into *sajdah* again.

Ruling 1043. In *sajdah*, the difference in height between the place where one places his forehead and where he places his knees and toes must not be more than four closed fingers. In fact, the obligatory precaution is that the difference in height between the place where he places his forehead and the place where he stands must also not be more than four closed fingers.

Ruling 1044. On sloping ground, even if the incline is not very evident, if the difference in height between the place of one's forehead and the place of his knees and toes is more than four closed fingers, his prayer is problematic [i.e. based on obligatory precaution, it is not valid].

Ruling 1045. If a person mistakenly places his forehead on something that is higher than the place of his knees and toes by more than the height of four closed fingers, in the event that the height of the object is such that it cannot be said he is performing *sajdah*, he must raise his head and place it on something that is not higher than the height of four closed fingers. And if the height of the object is such that it can be said he is performing *sajdah*, in the event that he becomes aware of this after saying the obligatory *dhikr*, he can raise his head

from *sajdah* and complete the prayer. However, if he becomes aware of this before saying the obligatory *dhikr*, he must slide his head from it and place it on something that is equal to or lower than the height of four closed fingers and then say the obligatory *dhikr*. And if it is not possible for him to slide his forehead in this manner, he can say the obligatory *dhikr* in the position that he is in and complete the prayer, and it is not necessary for him to perform the prayer again.

Ruling 1046. There must not be a barrier between one's forehead and the thing that it is permitted to perform *sajdah* on. Therefore, if the *turbah*⁴⁵ is so dirty that his forehead does not make contact with the *turbah* itself, the *sajdah* is invalid. However, if, for example, only the colour of the *turbah* has changed, there is no problem.

Ruling 1047. In *sajdah*, one must place his two palms on the ground; and based on obligatory precaution, one must place the whole of his palms on the ground if possible. However, if it is not possible, there is no problem in him placing the back of his hand on the ground; and if placing the back of the hand is not possible either, then based on obligatory precaution, he must place his wrists on the ground; and in the event that even this is not possible, he must place any part of his forearm up to his elbows on the ground; and if this is not possible either, then placing the upper arm on the ground is sufficient.

Ruling 1048. In *sajdah*, one must place his two big toes on the ground. However, it is not necessary to place the tips of the toes on the ground; rather, placing the back or front of them also suffices. If a person does not place his big toe on the ground but instead places his other toes or the top of his foot on the ground, or, if on account of having long nails his big toe does not make contact with the ground, his prayer is invalid. And if one has performed prayers in this manner while not knowing the ruling due to his own fault, he must perform them again.

Ruling 1049. If part of one's big toe has been cut off, he must place the rest of it on the ground; and if nothing of it remains or the remaining part is very short and cannot in any way be placed on the ground or on something else, then based on obligatory precaution, he must

⁴⁵ A *turbah* is a piece of earth or clay on which one places his forehead in *sajdah*.

place his other toes on the ground. If he does not have any toes, he must place whatever is remaining of his foot on the ground.

Ruling 1050. If a person performs *sajdah* in an unusual manner – for example, he places his chest and stomach on the ground, or he stretches his legs a little – in the event that it can be said that he has performed *sajdah*, his prayer is valid. However, if it is said that he lay down and it cannot be called a *sajdah*, his prayer is invalid.

Ruling 1051. The part of the *turbah* or the thing on which it is permitted to perform *sajdah* must be pure. However, if, for example, one places a *turbah* on an impure carpet, or, if one side of the *turbah* is impure and he places his forehead on its pure side, or, if one part of the *turbah* is pure and another impure, then as long as it does not make the forehead impure, there is no problem.

Ruling 1052. If there is a boil, wound, or suchlike on one's forehead that cannot be placed on the ground even without him exerting any pressure on it, in the event that the boil, for example, does not cover his entire forehead, he must perform *sajdah* with the unaffected part of his forehead. And if performing *sajdah* with the unaffected part is dependent on him digging a hole in the ground and placing his boil in the hole and placing the unaffected part on the ground to the extent that is sufficient for *sajdah*, then he must do this. (The explanation of what is meant by 'forehead' was mentioned at the beginning of this section).

Ruling 1053. If a boil or wound covers one's entire forehead as previously defined, then based on obligatory precaution, he must place either side of it – i.e. the rest of his forehead – or one side of it, on the ground in whatever way he can. If he cannot do this, he must perform *sajdah* with a part of his face; and the obligatory precaution is that if he can, he must perform *sajdah* with his chin. If he cannot perform *sajdah* with one of the two sides of his forehead, and if performing *sajdah* with his face is not possible at all, he must perform *sajdah* by indication.

Ruling 1054. With regard to someone who can sit but cannot make his forehead touch the ground, if he can bend forward to the extent

that it can be commonly called *sajdah*, he must bend forward to that extent and place the *turbah* or something else on which it is permitted to perform *sajdah* on something elevated, and then he must place his forehead on it. However, he must place his palms, knees, and toes on the ground in the usual manner if possible.

Ruling 1055. In the situation mentioned in the previous ruling, if there is no elevated object upon which to place the *turbah* or something else on which it is permitted to perform *sajdah*, and there is no one who can, for example, raise the *turbah* and hold it so that he can perform *sajdah* on it, then in such a case, he must raise the *turbah* or the other thing with his hand and perform *sajdah* on it.

Ruling 1056. If a person cannot perform *sajdah* at all and the extent to which he can bend forward is not sufficient for it to be called *sajdah*, he must perform *sajdah* by indicating with his head. If he cannot do this, he must indicate with his eyes. If he cannot even indicate with his eyes, he must make the intention of performing *sajdah* in his heart; and based on obligatory precaution, he must indicate with his hands and suchlike and say the obligatory *dhikr*.

Ruling 1057. If a person's forehead is raised involuntarily from the place of *sajdah*, in the event that it is possible to do so, he must not let it touch the place of *sajdah* again; this is considered to be one *sajdah*, whether he has said the *dhikr* of *sajdah* or not. If he cannot keep check of his head's movements and his forehead involuntarily touches the place of *sajdah* again, then this is still considered to be one *sajdah*. However, if he has not said the *dhikr*, the obligatory precaution is that he must say it but he must do so with a general intention of attaining proximity to Allah and not with a specific intention [i.e. not with the intention of it being an obligatory *dhikr* of the prayer].

Ruling 1058. In a situation where one must observe *taqiyyah*,⁴⁶ he can perform *sajdah* on a rug or something similar, and it is not necessary that he goes to another place to perform prayers, or that he delays prayers in order to perform them in that place once the reason for observing *taqiyyah* is no longer valid. However, if in the same place

⁴⁶ *Taqiyyah* refers to the discretionary concealment of one's beliefs under duress.

he can perform *sajdah* on *haṣīr* or something else that is valid to perform *sajdah* on in a manner that does not contravene *taqiyyah*, then he must not perform *sajdah* on a rug or something similar.

Ruling 1059. If a person performs *sajdah* on a feather mattress or a similar thing and his body does not stay still, it is invalid.

Ruling 1060. If a person is compelled to perform prayers on muddy ground, in the event that it does not cause him excessive difficulty (*mashaqqah*) for his body and dress to become soiled with mud, he must perform *sajdah* and say *tashahhud* in the normal manner. However, if it does cause him excessive difficulty, he must indicate with his head for *sajdah* while he is standing and also say *tashahhud* standing. In such a situation, his prayer is valid.

Ruling 1061. In the first and third *rak'ahs*, which do not have *tashahhud* – as is the case in the third *rak'ah* of *zuhr*, *‘aṣr*, and *‘ishā*’ prayers – the obligatory precaution is that after the second *sajdah*, one must sit still for a moment and then stand up.

THINGS ON WHICH *SAJDĀH* IS PERMITTED (JĀ’IZ)

Ruling 1062. One must perform *sajdah* on earth and on those things that grow from the earth but are neither edible nor worn, such as wood and the leaves of trees. It is not permitted to perform *sajdah* on edible things nor on things that are worn, such as wheat, barley, and cotton, nor on things that are not considered to be part of the earth, such as gold, silver, and suchlike. However, when one is compelled to, performing *sajdah* on tar and asphalt (which is a lower grade of tar) take precedence over other things on which it is not permitted to perform *sajdah*.

Ruling 1063. Performing *sajdah* on grape vine leaves when they are delicate and edible is not permissible; otherwise, there is no problem.

Ruling 1064. It is permitted to perform *sajdah* on things that originate from the ground that are food for animals, such as grass and straw.

Ruling 1065. It is permitted to perform *sajdah* on flowers that are not edible. In fact, it is also permitted to perform *sajdah* on edible medicinal foliage and suchlike that grow from the ground and are steamed or boiled and its water drunk, such as violets and borage.

Ruling 1066. It is not permitted to perform *sajdah* on plants that are commonly eaten in some towns but not in others if they are also considered edible in those other towns. Furthermore, based on obligatory precaution, it is not permitted to perform *sajdah* on unripe fruit.

Ruling 1067. It is permitted to perform *sajdah* on limestone and gypsum. In fact, there is also no problem in performing *sajdah* on baked gypsum and lime, brick, and on a clay pitcher.

Ruling 1068. It is permitted to perform *sajdah* on writing paper that is made from something on which it is permitted to perform *sajdah*, such as wood and grass; and the same applies if it is made out of cotton or flax. However, if it is made out of silk and suchlike, then performing *sajdah* on it is not permitted. As for performing *sajdah* on tissue paper, it is only permitted if one knows that it is made out of something on which it is permitted to perform *sajdah*.

Ruling 1069. The best thing on which to perform *sajdah* is the *turbah* of His Eminence al-Sayyid al-Shuhadā' [Imam al-Ḥusayn] (‘A), and after that, earth, then stone, and then grass.

Ruling 1070. If a person does not have anything on which it is permitted to perform *sajdah*, or, if he does have something but he cannot perform *sajdah* on it on account of severe heat or cold and suchlike, then performing *sajdah* on tar and asphalt takes precedence over performing *sajdah* on other things. However, if it is not possible to perform *sajdah* on them, one must perform *sajdah* on his clothes or on any other thing on which performing *sajdah* is not permitted in normal circumstances; however, the recommended precaution is that as long as it is possible to perform *sajdah* on his clothes, he should not perform *sajdah* on anything else.

Ruling 1071. Performing *sajdah* on mud and soft soil on which one's

forehead cannot remain still is invalid.

Ruling 1072. If in the first *sajdah* the *turbah* sticks to one's forehead, he must remove it for the second *sajdah*.

Ruling 1073. If while performing prayers the thing on which one performs *sajdah* is lost and he does not have anything else on which performing *sajdah* is permitted, he can act according to the sequence mentioned in Ruling 1070, irrespective of whether time is short or it is sufficient for him to break his prayer and perform it again.

Ruling 1074. If while performing *sajdah* one realises that he has placed his forehead on something that invalidates a *sajdah*, in the event that he becomes aware of this after saying the obligatory *dhikr*, he can raise his head from *sajdah* and continue with the prayer. However, if he becomes aware of this before saying the obligatory *dhikr*, he must slide his forehead onto something on which it is permitted to perform *sajdah* and then say the obligatory *dhikr*. And if it is not possible for him to slide his forehead, he can say the obligatory *dhikr* as he is. In both cases, his prayer is valid.

Ruling 1075. If a person realises after performing *sajdah* that he had placed his forehead on a thing that is not valid for performing *sajdah* on, there is no problem.

Ruling 1076. It is unlawful to perform *sajdah* for any being other than Allah. Some people place their forehead on the ground in front of the graves of the Imams (‘A); if they do this for offering thanks to Allah, there is no problem; otherwise, it is problematic [i.e. based on obligatory precaution, it must not be done].

RECOMMENDED (MUSTAḤABB) AND DISAPPROVED (MAKRŪH) ACTS OF SAJDĀH

Ruling 1077. The following things are recommended when performing *sajdah*:

1. saying *takbīr* before going into *sajdah*. For someone who performs prayers standing, this should be performed after he has raised his head from *rukūʿ* and has stood perfectly straight; and for someone who performs prayers sitting, this should be performed after he has sat perfectly upright;
2. when one wants to go into *sajdah*, a man should place his hands on the ground first and a woman her knees first;
3. one should also place his nose on a *turbah* or on something on which it is permitted to perform *sajdah*;
4. when in *sajdah*, one should join his fingers together and place them in line with his ears such that the tips of his fingers face qibla;
5. one should supplicate in *sajdah* and seek from Allah that He fulfils his needs (*hājāt*), and he should recite this *duʿāʾ*:

يَا خَيْرَ الْمَسْئُولِينَ وَ يَا خَيْرَ الْمُعْطِينَ، اُرْزُقْنِي وَ اِرْزُقْ عِيَالِي مِنْ
فَضْلِكَ، فَإِنَّكَ ذُو الْفَضْلِ الْعَظِيمِ

yā khayral mas'ūlīn wa yā khayral mu'tīn, urzuqnī war zuq 'iyālī min
faḍlik, fa'innaka dhūl faḍlil 'aẓīm

O the Best of those who are Asked, and O the Best Bestower!
Grant me sustenance and grant my family sustenance with
Your grace, for indeed, You are Possessor of the Great Grace;

6. after *sajdah*, one should sit with his weight placed on his left thigh and he should place the top part of his right foot on the sole of his left foot;
7. after each *sajdah*, when one sits and his body is still, he should say *takbīr*;
8. after the first *sajdah*, when one's body is still, he should say:

أَسْتَغْفِرُ اللَّهَ رَبِّي وَ أَتُوبُ إِلَيْهِ

astaghfirul lāha rabbī wa atūbu ilayh

9. one should prolong his *sajdah*, and when sitting, he should place his hands on his thighs;
10. before going into the second *sajdah*, one should say *allāhu akbar* while his body is still;
11. one should invoke blessings upon Prophet Muḥammad (ﷺ) and

his progeny (*ṣalawāt*) in *sajdah*;

12. when getting up, one should lift his hands from the ground after lifting his knees;
13. men should not make their elbows touch the ground; also, they should keep their stomachs raised higher from the ground (compared to women) and keep their arms detached from their sides. Women should place their elbows on the ground, keep their stomachs closer to the ground, and keep their limbs joined to one another.

Other recommended acts of *sajdah* are mentioned in more detailed books.

Ruling 1078. It is disapproved to recite the Qur'an while in *sajdah*. Furthermore, it is disapproved to blow on the place of *sajdah* in order to remove dust from it, and if as a result of blowing two words intentionally come out of one's mouth, then based on obligatory precaution, the prayer is invalid.

Apart from these instances, there are other disapproved acts that are mentioned in more detailed books.

OBLIGATORY (WĀJIB) PROSTRATIONS OF THE QUR'AN

Ruling 1079. In each of the four surahs 'al-Sajdah', 'Fuṣṣilat', 'al-Najm', and 'al-'Alaq', there is a verse of *sajdah*,⁴⁷ which means that if one recites this verse or listens to it, he must immediately perform *sajdah* after the verse has finished. If he forgets to do this, he must perform *sajdah* whenever he remembers. Performing *sajdah* is not obligatory if one hears such a verse involuntarily, although it is better that he does.

Ruling 1080. If when listening to a verse of *sajdah* one also recites along with it, he must perform two *sajdahs*.

⁴⁷ In Surat al-Sajdah (Chapter 32), the verse is number 15; in Surah Fuṣṣilat (Chapter 41), it is verse 37; in Surat al-Najm (Chapter 53), it is verse 62; and in Surat al-'Alaq (Chapter 96), it is verse 19.

Ruling 1081. If a person is performing a *sajdah* that is not part of prayers and he recites or listens to a verse of *sajdah*, he must raise his head from *sajdah* and perform *sajdah* again.

Ruling 1082. If a person hears or listens to a verse of *sajdah* being recited by a person who is asleep or insane, or from a child who cannot distinguish between the verses of the Qur'an, then *sajdah* becomes obligatory. However, if he hears it from a gramophone or a tape recorder [or some other sound-playing device], then *sajdah* is not obligatory. The same applies [i.e. *sajdah* is not obligatory] to hearing it from a radio if it is pre-recorded. However, if someone recites a verse of *sajdah* live on the radio and one listens to it live, then *sajdah* is obligatory.

Ruling 1083. Based on obligatory precaution, for an obligatory *sajdah* of the Qur'an, the place where one performs *sajdah* must not be usurped. And based on recommended precaution, the place of his forehead in relation to the place of his knees and the tips of his toes should not be higher or lower than the height of four closed fingers. However, it is not necessary for him to have *wuḍū'* or *ghusl*, face qibla, cover his private parts, or for his body and the place of his forehead to be pure. Furthermore, the conditions relating to the clothing of someone performing prayers do not apply.

Ruling 1084. The obligatory precaution is that for an obligatory *sajdah* of the Qur'an, one must place his forehead on a *turbah* or on something else on which it is permitted to perform *sajdah*. And based on recommended precaution, one should place the other parts of his body on the ground in accordance with the instructions that were mentioned with regard to performing *sajdah* in prayers.

Ruling 1085. Even if one does not say any *dhikr* when he places his forehead on the ground with the intention of performing an obligatory *sajdah* of the Qur'an, it is sufficient. However, saying a *dhikr* is recommended, and it is better to say the following:

لَا إِلَهَ إِلَّا اللَّهُ حَقًّا حَقًّا، لَا إِلَهَ إِلَّا اللَّهُ إِيْمَانًا وَتَصَدِيقًا، لَا إِلَهَ إِلَّا اللَّهُ عُبُودِيَّةً
وَرِقًّا، سَجَدْتُ لَكَ يَا رَبِّ تَعَبُّدًا وَرِقًّا، لَا مُسْتَنْكِفًا وَلَا مُسْتَكْبِرًا، بَلْ

أَنَا عَبْدٌ ذَلِيلٌ ضَعِيفٌ خَائِفٌ مُسْتَجِيرٌ

lā ilāha illal lāhu ḥaqqan ḥaqqā, lā ilāha illal lāhu iymānaw wa taṣdīqa, lā ilāha illal lāhu 'ubūdiyyataw wa riqqa, sajadtu laka yā rabbi ta'abbudaw wa riqqa, lā mustankifaw wa lā mustakbira, bal anā 'abdun dhalīlun ḍa'īfun khā'ifum mustajīr

There is no god but Allah, truly, truly. There is no god but Allah, I believe in this certainly and I affirm it certainly. There is no god but Allah, I testify this in servitude and as a slave. I prostrate to You, O my Lord, in servitude and as a slave; not disdainfully nor arrogantly. Rather, I am a servant lowly, weak, fearing, and seeking refuge.

TESTIFYING (TASHAHHUD)

Ruling 1086. In the second *rak'ah* of all obligatory and recommended prayers, and in the third *rak'ah* of *maghrib* prayers, and in the fourth *rak'ah* of *zuhr*, *aṣr* and *'ishā'* prayers, one must sit [in a kneeling type of position] after the second *sajdah*; and while his body is still, he must say *tashahhud*, i.e.:

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، اَللّٰهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ

ashhadu al lā ilāha illal lāhu waḥdahū lā sharīka lah, wa ashhadu anna muḥammadan 'abduhu wa rasūluh, allāhumma ṣalli 'alā muḥammadiw wa āli muḥammad

And it is sufficient for one to say:

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ عَبْدُهُ وَرَسُولُهُ

ashhadu al lā ilāha illal lāh, wa ashhadu anna muḥammadan ṣallal lāhu 'alayhi wa ālihi 'abduhu wa rasūluh

Tashahhud is also necessary in the prayer of *witr*.⁴⁸

⁴⁸ This is the one *rak'ah* prayer that is performed as part of the night prayer. See Ruling 752.

Ruling 1087. The words of *tashahhud* must be said in correct Arabic and consecutively in a normal manner.

Ruling 1088. If a person forgets *tashahhud*, stands up, and remembers before going into *rukū'* that he has not performed it, he must sit down, say *tashahhud*, stand up again, recite everything that must be recited in that *rak'ah*, and complete the prayer. And based on recommended precaution, after completing the prayer he should perform two *sajdat al-sahws* for standing without due reason. However, if he remembers [that he has not said *tashahhud*] during or after performing *rukū'*, then he must complete the prayer. And based on recommended precaution, after the *salām* of the prayer he should perform *qadā'* of the *tashahhud*, and he must perform two *sajdat al-sahws* for the forgotten *tashahhud*.

Ruling 1089. It is recommended that while saying *tashahhud*, one should sit with his weight placed on his left thigh, and place the front of his right foot on the sole of his left; and before *tashahhud*, he should say:

الْحَمْدُ لِلَّهِ

alḥamdu lillāh

...or he should say:

بِسْمِ اللَّهِ وَ بِاللَّهِ وَ الْحَمْدُ لِلَّهِ وَ خَيْرُ الْأَسْمَاءِ لِلَّهِ

bismil lāhi wa billāhi wal ḥamdu lillāhi wa khayrul asmā'i lillāh

In the name of Allah and by Allah. All praise is for Allah and the best names belong to Allah.

It is also recommended that one places his hands on his thighs, closes his fingers together, looks at his lap, and says after reciting *ṣalawāt* in *tashahhud*:

وَ تَقَبَّلْ شَفَاعَتَهُ وَ ارْزُقْ دَرَجَتَهُ

wa taqabbal shafā'atahu war fa' darajatah

Ruling 1090. It is recommended that when saying *tashahhud*, women should keep their thighs closed together.

SALUTATION (SALĀM)

Ruling 1091. After completing *tashahhud* of the last *rak'ah* of the prayer, it is recommended that while one is sitting and his body is still, he should say:

اَلسَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَ رَحْمَةُ اللهِ وَ بَرَكَاتُهُ

assalāmu 'alayka ayyuhan nabiyyu wa raḥmatul lāhi wa barakātuh

And after that, he must say:

اَلسَّلَامُ عَلَيْكُمْ

assalāmu 'alaykum

And the recommended precaution is that [after saying *assalāmu 'alaykum*,] one adds the sentence:

وَ رَحْمَةُ اللهِ وَ بَرَكَاتُهُ

wa raḥmatul lāhi wa barakātuh

Or [i.e. instead of saying *assalāmu 'alaykum*], one must say:

اَلسَّلَامُ عَلَيْنَا وَ عَلَىٰ عِبَادِ اللهِ الصَّالِحِينَ

assalāmu 'alaynā wa 'alā 'ibādil lāhiṣ ṣāliḥīn

However, if he says this, then the obligatory precaution is that he must also say after it:

اَلسَّلَامُ عَلَيْكُمْ

assalāmu 'alaykum

Ruling 1092. If a person forgets the *salām* of the prayer and remembers it before the form of the prayer has broken up, and if he has not intentionally or inadvertently done something that would invalidate his prayer – such as turning his back to qibla – then he must say the *salām* and his prayer is valid.

Ruling 1093. If a person forgets the *salām* of the prayer and remembers it after the form of the prayer has broken up, or if he has intentionally

or inadvertently done something that would invalidate his prayer – such as turning his back to qibla – then his prayer is valid.

SEQUENCE (*TARTĪB*)

Ruling 1094. If a person intentionally breaks the sequence of prayers – for example, he recites the other surah before Surat al-Ḥamd, or he performs *sajdah* before *rukūʿ* – his prayer becomes invalid.

Ruling 1095. If a person forgets a *rukn* of the prayer and performs the *rukn* that comes after it – for example, before performing *rukūʿ* he performs two *sajdahs* – then based on obligatory precaution, his prayer is invalid.

Ruling 1096. If a person forgets a *rukn* and performs the act after it which is not a *rukn* – for example, before performing two *sajdahs* he says *tashahhud* – he must perform the *rukn* and then perform again what he mistakenly performed before it.

Ruling 1097. If a person forgets something that is not a *rukn* and performs the *rukn* that comes after it – for example, he forgets Surat al-Ḥamd and starts performing *rukūʿ* – his prayer is valid.

Ruling 1098. If a person forgets something that is not a *rukn* and performs the act that comes after it that is not a *rukn* either – for example, he forgets Surat al-Ḥamd and recites the other surah – he must perform the act he forgot and then perform the act that he mistakenly performed before it.

Ruling 1099. If a person performs the first *sajdah* thinking that it is the second *sajdah*, or, if he performs the second *sajdah* thinking that it is the first, his prayer is valid. And [the *sajdah* he deems as] his first *sajdah* is counted as the first *sajdah*, and [the *sajdah* he deems as] his second *sajdah* is counted as the second *sajdah*.

CLOSE SUCCESSION (MUWĀLĀH)

Ruling 1100. One must perform prayers with close succession, i.e. he must perform acts such as *rukūʿ*, *sujūd*, and *tashahhud* one after the other, and he must say those things that are said in prayers one after the other in a normal manner. If a person delays between the acts to the extent that it cannot be said he is performing prayers, his prayer is invalid.

Ruling 1101. If during prayers one inadvertently pauses between letters and words but the pause is not long enough for it to break up the form of the prayer, in the event that he has not started performing the *rukūʿ* after it, he must say those letters or words in the normal manner. If he has said something after it, it is necessary that he repeats it, and if he has started performing the *rukūʿ* after it, his prayer is valid.

Ruling 1102. Prolonging *rukūʿ* and *sujūd* and reciting long surahs does not break *muwālāh*.

QUNŪT

Ruling 1103. In all the obligatory and recommended prayers, it is recommended to perform *qunūt* before the *rukūʿ* of the second *rakʿah*. However, in the prayer of *shafʿ*, one must perform it with the intention of *rajāʿ*, and in the prayer of *witr* – despite it being only one *rakʿah* – it is recommended to perform *qunūt* before *rukūʿ*. In the Friday prayer, each *rakʿah* has a *qunūt*. *Ṣalāt al-āyāt* has five *qunūts*, and the Eid al-Fiṭr and Eid al-Adḥā prayers each have a number of *qunūts* in the two *rakʿahs*, details of which will be explained in their own place.

Ruling 1104. It is recommended that in *qunūt* one places his hands in front of his face with his palms facing the sky and with both hands kept next to each other; and apart from his thumb, he should close his other fingers together, and look at the palms of his hands. In fact, based on obligatory precaution, *qunūt* is incorrect without raising the hands unless it is necessary for one not to [raise his hands].

Ruling 1105. In *qunūt*, it is sufficient to say any *dhikr*, even if it is one

‘*subhānal lāh*’, and it is better if one says the following:

لَا إِلَهَ إِلَّا اللَّهُ الْحَلِيمُ الْكَرِيمُ، لَا إِلَهَ إِلَّا اللَّهُ الْعَلِيُّ الْعَظِيمُ، سُبْحَانَ اللَّهِ رَبِّ
السَّمَاوَاتِ السَّبْعِ، وَ رَبِّ الْأَرْضِينَ السَّبْعِ، وَ مَا فِيهِنَّ وَ مَا بَيْنَهُنَّ وَ رَبِّ
الْعَرْشِ الْعَظِيمِ، وَ الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ

lā ilāha illal lāhul ḥalīmul karīm, lā ilāha illal lāhul ‘aliyyul ‘azīm, subhānal
lāhi rabbis samāwātis sab’, wa rabbil araḍinas sab’, wa mā fihinna wa mā
baynahunna wa rabbil ‘arshil ‘azīm, wal ḥamdu lillāhi rabbil ‘ālamīn

Ruling 1106. It is recommended that one says the *dhikr* in *qunūt* aloud. However, with regard to someone who is performing prayers in congregation, if the imam would be able to hear him, then saying it aloud is not recommended.

Ruling 1107. If a person intentionally does not perform *qunūt*, it cannot be made up; and if he forgets to perform it and remembers it before bending forward to the extent required for *rukū‘*, it is recommended that he stands up and performs it. And if he remembers it in *rukū‘*, it is recommended that he makes it up after the *rukū‘*; and if he remembers it in *sajdah*, it is recommended that he makes it up after the *salām*.

TRANSLATION OF PRAYERS

1. Translation of Surat al-Ḥamd

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

bismil lāhir raḥmānir raḥīm

In the Name of Allah, the All-beneficent, the All-merciful.

الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ

alḥamdu lillāhi rabbil ‘ālamīn

All praise belongs to Allah, Lord of all the worlds,

الرَّحْمَنُ الرَّحِيمُ

arraḥmānir raḥīm

the All-beneficent, the All-merciful,

مَلِكِ يَوْمِ الدِّينِ

māliki yawmid dīn

Master of the Day of Retribution.

إِيَّاكَ نَعْبُدُ وَإِيَّاكَ نَسْتَعِينُ

iiyāka na'budu wa iiyāka nasta'in

You [alone] do we worship, and to You [alone] do we turn for help.

إِهْدِنَا الصِّرَاطَ الْمُسْتَقِيمَ

ihdinaṣ ṣirāṭal mustaqīm

Guide us on the straight path,

صِرَاطَ الَّذِينَ أَنْعَمْتَ عَلَيْهِمْ غَيْرِ الْمَغْضُوبِ عَلَيْهِمْ وَلَا الضَّالِّينَ

ṣirāṭal ladhīna an'amta 'alayhim ghayril maghḍūbi 'alayhim wa laḍ ḍāllīn
the path of those whom You have blessed – such as have not incurred

Your wrath, nor are astray.

2. Translation of Surat al-Ikhlāṣ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

bismil lāhir raḥmānir raḥīm

In the Name of Allah, the All-beneficent, the All-merciful.

قُلْ هُوَ اللَّهُ أَحَدٌ

qul huwal lāhu aḥad

Say, 'He is Allah, the One.'

اللَّهُ الصَّمَدُ

allāhuṣ ṣamad

'Allah is the All-embracing.'

لَمْ يَلِدْ وَ لَمْ يُولَدْ

lam yalid wa lam yūlad

'He neither begat, nor was begotten',

و لَمْ يَكُنْ لَهُ كُفُوًا أَحَدٌ

wa lam yakul lahu kufuwan aḥad

'nor has He any equal.'

3. Translation of the *dhikr* of *rukū'* and *sujūd*, and the *dhikrs* that are recommended to be said after them

سُبْحَانَ رَبِّيَ الْعَظِيمِ وَ بِحَمْدِهِ

subḥāna rabbiyal 'aẓīmi wa biḥamdih

I declare emphatically that my great Lord is free from imperfections,
and I do so by praising Him.

سُبْحَانَ رَبِّيَ الْأَعْلَى وَ بِحَمْدِهِ

subḥāna rabbiyal a'lā wa biḥamdih

I declare emphatically that my most high Lord is free from imperfections,
and I do so by praising Him.

سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ

sami'al lāhu liman ḥamidah

Allah hears the one who praises Him.

أَسْتَغْفِرُ اللَّهَ رَبِّي وَ أَتُوبُ إِلَيْهِ

astaghfirul lāha rabbī wa atūbu ilayh

I seek forgiveness from Allah, My Lord, and I turn to Him in repentance.

بِحَوْلِ اللَّهِ وَقُوَّتِهِ أَقُومُ وَ أَقْعُدُ

biḥawli lāhi wa quwwatihi aqūmu wa aq'ud

I stand and sit by the strength of Allah and by His power.

4. Translation of *qunūt*

لَا إِلَهَ إِلَّا اللَّهُ الْخَلِيمُ الْكَرِيمُ

lā ilāha illal lāhul ḥalīmul karīm

There is no god but Allah, the Forbearing, the Generous.

لَا إِلَهَ إِلَّا اللَّهُ الْعَلِيُّ الْعَظِيمُ

lā ilāha illal lāhul 'aliyyul 'aẓīm

There is no god but Allah, the High, the Great.

سُبْحَانَ اللَّهِ رَبِّ السَّمَاوَاتِ السَّبْعِ وَ رَبِّ الْأَرْضِينَ السَّبْعِ

subḥānal lāhi rabbis samāwātis sab'i wa rabbil arāḍinas sab'

I declare emphatically that Allah, Lord of the seven skies and Lord of the seven earths, is free from imperfections,

وَمَا فِيهِنَّ وَ مَا بَيْنَهُنَّ وَ رَبِّ الْعَرْشِ الْعَظِيمِ

wa mā fihinna wa mā baynahunna wa rabbil 'arshil 'aẓīm

and all that is in them and all that is between them, and Lord of the Great Throne.

وَالْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ

wal ḥamdu lillāhi rabbil 'ālamīn

And all praise is for Allah, Lord of the worlds.

5. Translation of *al-tasbiḥāt al-arba'ah*

سُبْحَانَ اللَّهِ وَ الْحَمْدُ لِلَّهِ وَ لَا إِلَهَ إِلَّا اللَّهُ وَ اللَّهُ أَكْبَرُ

subḥānal lāhi wal ḥamdu lillāhi wa lā ilāha illal lāhu wal lāhu akbar

I declare emphatically that Allah is free from imperfections, and all praise is for Allah, and there is no god but Allah, and Allah is greater [than what He is described as].

6. Translation of the complete *tashahhud* and *salām*

الْحَمْدُ لِلَّهِ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ

alḥamdu lillāh, ashhadu al lā ilāha illal lāhu waḥdahu lā sharīka lah
All praise is for Allah. I testify that there is no god but Allah, He alone,
for whom there is no partner.

وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ

wa ashhadu anna muḥammadan ‘abduhu wa rasūluh
And I testify that Muḥammad is His servant and His messenger.

اَللّٰهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ

allāhumma ṣalli ‘alā muḥammadiw wa āli muḥammad
O Allah! Bless Muḥammad and the progeny of Muḥammad.

وَتَقَبَّلْ شَفَاعَتَهُ وَارْقَعْ دَرَجَتَهُ

wa taqabbal shafā‘atahu war fa‘ darajatah
And accept his [i.e. the Prophet’s] intercession and raise his rank.

السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ

assalāmu ‘alayka ayyuhan nabiyyu wa raḥmatul lāhi wa barakātuh
Peace be upon you O Prophet, and Allah’s mercy and His blessings
(be upon you too).

السَّلَامُ عَلَيْنَا وَ عَلَى عِبَادِ اللَّهِ الصَّالِحِينَ

assalāmu ‘alaynā wa ‘alā ‘ibādil lāhiṣ ṣāliḥīn
Peace be upon us and upon the righteous servants of Allah.

السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ

assalāmu ‘alaykum wa raḥmatul lāhi wa barakātuh

Peace be upon you all, and Allah’s mercy and His blessings (be upon you too).

When saying these two *salāms*, it is better that one makes the intention that the addressees of the *salāms* are those who the Legislator [Allah] intended.⁴⁹

SUPPLICATIONS AFTER PRAYERS (TA‘QĪBĀT)

Ruling 1108. It is recommended that after prayers one engages himself in *ta‘qībāt*, i.e. saying *dhikr*, reciting *du‘ā’s*, and reciting the Qur’an. It is better that he recites *ta‘qībāt* facing qibla before he moves from his place and before his *wuḍū’*, *ghusl*, or *tayammum* becomes invalid. It is not necessary that the *ta‘qībāt* be in Arabic, but it is better to recite what has been instructed in the books of *du‘ā’s*. One of the *ta‘qībāt* that has been highly recommended is the *tasbīḥ* of Her Eminence [Fāṭimah] al-Zahrā’ (‘A), which must be said in this order: thirty-four times ‘*allāhu akbar*’, then thirty-three times ‘*alḥamdu lillāh*’, and then thirty-three times ‘*subḥānal lāh*’. It is possible to say the ‘*subḥānal lāh*’ before ‘*alḥamdu lillāh*’, but it is better to say it after it.

Ruling 1109. It is recommended that one performs the prostration for offering thanks (*sajdat al-shukr*) after prayers, and it is sufficient if he places his forehead on the ground with the intention of offering thanks. However, it is better that he says the following phrase 100 times, or three times, or once: ‘*shukran lillāh*’ [‘I am very grateful to Allah’]; or: ‘*shukran*’; [‘I am very grateful to You, O Allah!’]; or: ‘*afwan*’ [‘Bestow Your pardon on me, O Allah!’]. It is also recommended that whenever a blessing comes to someone or a tribulation is averted from him, he should perform *sajdat al-shukr*.

⁴⁹ It is better for one to make such an intention even though according to some traditions the addressees of these *salāms* are the two angels on the person’s right and left, and the believers.

ŞALAWĀT

Ruling 1110. Whenever one says or hears the blessed name of His Eminence the Messenger of Allah (S) – such as ‘Muḥammad’ and ‘Aḥmad’ – or an epithet (*laqab*) or *kunyah*⁵⁰ of his – such as ‘Muṣṭafā’ and ‘Abū al-Qāsim’ – even during prayers, it is recommended that he recites *şalawāt*.

Ruling 1111. When writing the blessed name of His Eminence the Messenger of Allah (S), it is recommended that one also writes *şalawāt*. Similarly, it is better that one recites *şalawāt* whenever he remembers His Eminence.

THINGS THAT INVALIDATE (MUBṬILĀT) PRAYERS

Ruling 1112. Twelve things invalidate prayers. These twelve things are called the ‘*mubṭilāt*’ of prayers.

First: during prayers, one of its conditions is no longer fulfilled. For example, during prayers one realises that his clothes are impure.

Second: during prayers, one intentionally, inadvertently, or due to helplessness, does something that invalidates *wuḍū’* or *ghusl*. For example, he urinates, even if – based on obligatory precaution – this happens inadvertently or due to helplessness after completing the last *sajdah* of the prayer. However, if one cannot prevent the discharge of urine and faeces and during prayers urine or faeces is discharged from his body, in the event that he acts according to the instructions that were mentioned in the section on *wuḍū’*, his prayer does not become invalid. Similarly, if during prayers, blood is discharged from a woman experiencing an irregular blood discharge (*istiḥāḍah*), in the event that she has acted according to the instructions concerning irregular blood discharge, her prayer is valid.

Ruling 1113. If someone falls asleep involuntarily and does not know whether he fell asleep during prayers or after them, it is not

⁵⁰ An honorific name as the father or mother of someone (a patronymic or metronymic).

necessary for him to repeat his prayers on condition that he knows that the extent to which he performed the prayers could be commonly regarded as being prayers.

Ruling 1114. If a person knows that he slept voluntarily but doubts whether he slept after prayers or he slept during prayers having forgotten that he was performing prayers, then his prayer is valid subject to the same condition that was mentioned in the previous ruling.

Ruling 1115. If a person wakes up from the act of performing *sajdah* and doubts whether he is in the last *sajdah* of the prayer or in *sajdat al-shukr*, then, whether he knows he fell asleep intentionally or unintentionally, his prayer is considered to be valid and it is not necessary for him to repeat it.

Third: a person places his hands on top of one another with the intention of humility and respect. The prayer becoming invalid by this act is based on obligatory precaution; however, there is no doubt that this act, if performed with the intention that it is sanctioned in Islamic law, is unlawful.

Ruling 1116. There is no problem if a person places one hand on the other forgetfully, or helplessly, or due to *taqiyyah*, or for some other reason, such as wanting to scratch his hand.

Fourth: after reciting Surat al-Ḥamd one says ‘*āmīn*’. With regard to someone who is not a follower in congregational prayers, his prayer becoming invalid by saying ‘*āmīn*’ is based on obligatory precaution. However, there is no doubt that this act, if performed with the intention that it is sanctioned in Islamic law, is unlawful. There is no problem, however, if one says ‘*āmīn*’ mistakenly or due to *taqiyyah*.

Fifth: one turns away from qibla without a legitimate excuse. However, if one has a legitimate excuse, such as forgetfulness, or something compels him – for example, a mighty wind turns him away from qibla – then, in the event that he does not turn completely to the right or left, his prayer is valid. However, after the legitimate excuse expires, it is necessary that he immediately turns towards qibla. And in the

event that he does turn completely to the right or left or he has his back towards qibla, then, if he had forgotten or was unmindful of this fact, or he had made a mistake in identifying the direction of qibla, and he is reminded or he becomes aware of this at a time when he is able to break his prayer and perform it again facing the qibla – even if one *rak'ah* is performed within the prescribed time – in such a case, he must perform the prayer from the start; otherwise, he must continue with the prayer and it is not necessary for him to make it up. The same applies if he is compelled to turn away from qibla, i.e. if without turning away from qibla he can perform the prayer again within its prescribed time – even if one *rak'ah* is performed within the prescribed time – he must perform the prayer from the start; otherwise, he must complete the prayer and it is not necessary for him to perform it again or to make it up.

Ruling 1117. If a person turns only his face away from qibla and his body remains facing qibla, in the event that he turns his neck to such an extent that he can see a little of what is behind him, the rule of turning away from qibla – which was mentioned earlier – applies. However, if his turning is not to this extent but is commonly considered to be a lot, then based on obligatory precaution, he must perform his prayer again. And if he turns his neck a little, his prayer does not become invalid, although this action is disapproved.

Sixth: one intentionally speaks, even if what he says is only one letter, as long as it conveys a meaning; for example, he says 'ق' (*qi*), which in Arabic means 'keep safe'. The same applies if what he says means something in a particular context; for example, he says 'ءاب' (*bā'*) in response to someone who asks what the second letter of the Arabic alphabet is. In the event that what he says conveys no meaning at all but consists of two or more letters, then based on obligatory precaution, this also invalidates prayers.

Ruling 1118. If a person inadvertently says a word that has one or more letters, then even if that word conveys a meaning his prayer does not become invalid. However, based on obligatory precaution, it is necessary that after prayers he performs *sajdat al-sahw*, which will be discussed later.

Ruling 1119. There is no problem if one coughs or burps in prayers; and the obligatory precaution is that in prayers, one must not voluntarily sigh or groan. However, saying ‘oh’ or ‘ah’ and suchlike, if said intentionally, invalidates prayers.

Ruling 1120. If a person says a word with the intention of *dhikr* – for example, he says ‘*allāhu akbar*’ with the intention of *dhikr* – and if when saying it he raises his voice in order to make someone aware of something, there is no problem. Similarly, if a person says a word with the intention of *dhikr*, then even if he knows that by saying it someone will become aware of some matter, there is no problem. However, if he does not make an intention of *dhikr* at all, or he makes an intention for both purposes [i.e. an intention to perform *dhikr* and an intention to make someone aware of something], then his prayer becomes invalid.⁵¹ However, if he makes an intention of *dhikr* but his motive for saying it is to make someone aware of something, his prayer is valid.

Ruling 1121. During prayers, there is no problem in reciting the Qur’an⁵² – apart from the four verses of obligatory *sajdah* – and there is also no problem in supplicating. However, the recommended precaution is that one should not supplicate in a language other than Arabic. (The rule regarding the four verses of obligatory *sajdah* is mentioned in the section on *qirā’ah*, Ruling 969).

Ruling 1122. There is no problem if a person intentionally or as a precautionary measure repeats part of Surat al-Ḥamd, the other surah, or a *dhikr* of the prayer multiple times.

Ruling 1123. During prayers, one must not say *salām* [the Islamic greeting] to another person; and if someone says *salām* to him, he must reply but in the same way as the person said *salām* to him; i.e.

⁵¹ For example, if during prayers a person realises that there is someone knocking on the door of the house and in order to draw the attention of one of his family members to this he says ‘*allāhu akbar*’ with the intention of it meaning ‘someone is at the door’ and not as a *dhikr*, his prayer is invalid. Similarly, if when he says ‘*allāhu akbar*’ he intends it to mean two things: ‘someone is at the door’ and ‘Allah is greater’, then again his prayer is invalid.

⁵² Although as mentioned in Ruling 1078, it is disapproved to recite the Qur’an in *sajdah*.

he must not add anything to the initial *salām*. For example, he must not reply '*salām 'alaykum wa raḥmatul lāhi wa barakātuh*' ['peace be upon you, and Allah's mercy and His blessing (be upon you too)']. In fact, based on obligatory precaution, he must not say the words '*'alaykum*' ['upon you' (plural form)] or '*'alayk*' ['upon you' (singular form)] before the word '*salām*' if the person who said *salām* did not say it in that way either. And the recommended precaution is that one's response should be exactly the same as the *salām* said by the other person. For example, if he said '*salām 'alaykum*', he should reply '*salām 'alaykum*'; and if he said '*salām 'alayk*', he should reply '*salām 'alayk*'. However, in response to '*'alaykum salām*', he can say '*'alaykum salām*', or '*assalām 'alaykum*', or '*salām 'alaykum*'.

Ruling 1124. One must immediately reply to *salām*, irrespective of whether he is performing prayers or not. If a person intentionally or due to forgetfulness delays his reply to *salām* to the extent that were he to reply to it, it would not be considered a reply to that initial *salām*, then, in the event that he is performing prayers he must not reply, and if he is not performing prayers then replying is not obligatory.

Ruling 1125. One must reply to *salām* in a manner that the person who said *salām* to him hears the reply. However, if the person who said *salām* is deaf or he passes by quickly having said *salām*, in the event that it is possible to make that person aware of the reply by indicating and suchlike, it is necessary to do so. In other cases – except during prayers – it is not necessary to reply, and during prayers it is not permitted.

Ruling 1126. It is obligatory for a person who is performing prayers to reply to a *salām* with the intention of greeting (*taḥiyyah*), and there is no problem if he also makes an intention of a *du'ā'*, i.e. he asks Allah to grant good health to the person who said *salām* to him.

Ruling 1127. If a woman or a man who is neither a *maḥram* nor a *mumayyiz* child – i.e. a child who is able to discern between right and wrong – says *salām* to a person who is performing prayers, that person must reply. And if a woman greets him with the words '*salām 'alayka*', he can reply '*salām 'alayki*', i.e. with a *kasrah* on the *kāf*.

Ruling 1128. If a person who is performing prayers does not reply to a *salām*, then even though he commits a sin his prayer is valid.

Ruling 1129. If someone says *salām* incorrectly to a person performing prayers, then based on obligatory precaution, he must reply correctly.

Ruling 1130. It is not obligatory to reply to a *salām* that is said mockingly or jokingly, nor to the *salām* of a non-Muslim man or woman who is not a *dhimmi*.⁵³ And if the person is a *dhimmi*, then based on obligatory precaution, the answer must be restricted to the word ‘*alayk*’.

Ruling 1131. If someone says *salām* to a group of people, replying to his *salām* is obligatory on everyone. However, it is sufficient if one of them replies.

Ruling 1132. If someone says *salām* to a group of people but the person to whom the *salām* was not directed replies, it is still obligatory on the group to reply to his *salām*.

Ruling 1133. If a person says *salām* to a group of people and someone from among them who is performing prayers doubts whether the person who said *salām* intended to address him as well or not, he must not reply. The same applies, based on obligatory precaution, if he knows that he intended to address him as well but another person replied. However, if he knows that he intended to address him as well but another person does not reply, or he doubts whether he replied or not, he must reply to him.

Ruling 1134. It is recommended to say *salām*. It is reported that a person who is riding should say *salām* to a person who is walking, and a person who is standing should say it to one who is sitting, and the younger of two people should say it to the older person.

Ruling 1135. If two people together say *salām* to each other, then based on obligatory precaution, each of them must reply to the *salām* of the other.

⁵³ *Dhimmi*s are People of the Book (*ahl al-kitāb*) – i.e. Jews, Christians, and Zoroastrians – who have entered into a *dhimma* treaty, i.e. an agreement that gives them rights as protected subjects in an Islamic state.

Ruling 1136. Except in prayers, it is recommended that the reply to *salām* should be better than the *salām* itself. For example, if one says ‘*salām ‘alaykum*’, the other person should reply ‘*salām ‘alaykum wa rahmatul lāh*’.

Seventh: one intentionally laughs aloud. If one laughs aloud involuntarily but what led him to do so was of his own volition, or, based on obligatory precaution, even if it was not of his own volition, then, if there is enough time for him to perform the prayer again, he must do so. However, if he laughs intentionally but without making any noise or he inadvertently laughs aloud, his prayer is correct.

Ruling 1137. If on account of refraining oneself from laughing aloud one’s condition changes – for example, the colour of his face turns red – then the obligatory precaution is that he must perform his prayer again.

Eighth: based on obligatory precaution, intentionally crying loudly or silently over a worldly matter. However, if one cries silently or loudly out of fear of Allah, or in eagerness for Him, or for the Hereafter, there is no problem; indeed, it is among the best actions. In fact, if one cries in asking Allah for a worldly matter in humility to Him, there is no problem.

Ninth: doing something that breaks the form of the prayer, such as jumping in the air and suchlike, whether intentionally or forgetfully. However, doing something that does not break the form of the prayer, such as indicating with one’s hand, is not a problem.

Ruling 1138. If during prayers one remains silent to the extent that it cannot be said he is performing prayers, his prayer becomes invalid.

Ruling 1139. If during prayers one does something or remains silent for a while and doubts whether or not his prayer has broken up, he must perform the prayer again. However, it is better that he first completes that prayer and then repeats it.

Tenth: eating and drinking. If while performing prayers one eats or drinks in a manner that it cannot be said he is performing prayers – irrespective of whether he does this intentionally or forgetfully – his

prayer becomes invalid. However, if before the time of *ṣubḥ* prayers a person who wants to fast performs a recommended prayer and becomes thirsty, in the event that he fears that if he completes the prayer it will be time for *ṣubḥ* prayers, and if there is some water two or three steps in front of him, he can drink the water while performing prayers. However, he must not do anything that invalidates prayers, such as turning away from qibla.

Ruling 1140. Based on obligatory precaution, even if the form of prayer does not break by intentionally eating or drinking, one must perform the prayer again, irrespective of whether or not *muwālāh* is maintained, i.e. irrespective of whether or not it can be said that he is performing [the parts of] the prayer in close succession.

Ruling 1141. If while performing prayers one swallows food that had remained in his mouth or in-between his teeth, his prayer does not become invalid. Furthermore, there is no problem if a lump of sugar or sugar granules and suchlike remain in one's mouth and gradually dissolve and are swallowed while one is performing prayers.

Eleventh: one has a doubt about the number of *rak'ahs* he has performed while performing a two *rak'ah* or three *rak'ah* prayer, or while performing the first two *rak'ahs* of a four *rak'ah* prayer, on condition that the doubt remains with him.

Twelfth: one intentionally or inadvertently does not perform a *rukṇ* of prayer, or intentionally does not perform an obligatory component of the prayer that is not a *rukṇ*, or intentionally adds one of the parts of the prayer. Similarly, if one inadvertently adds a *rukṇ* like *rukū'* or two *sajdahs* in the same *rak'ah*, then based on obligatory precaution, his prayer becomes invalid. As for inadvertently adding a *takbīrat al-ihrām*, this does not invalidate prayers.

Ruling 1142. If after performing prayers one doubts whether or not he has performed an act that invalidates prayers, his prayer is valid.

THINGS THAT ARE DISAPPROVED (*MAKRŪH*) IN PRAYERS

Ruling 1143. It is disapproved for one to turn his face a little to the right or to the left while performing prayers to the extent that he cannot see what is behind his head; and if he can see what is behind his head, his prayer is invalid, as mentioned previously. It is also disapproved for one to close his eyes, turn them to the right or left, play with his beard and hands, interlock his fingers, spit, look at the writing of the Qur'an or of another book, and to look at the inscription on a ring. Furthermore, when one is reciting Surat al-Ḥamd, or the other surah, or *dhikr*, it is disapproved for him to become silent in order to hear someone talking. In fact, any act that takes away one's humility and submissiveness is disapproved.

Ruling 1144. It is disapproved for one to perform prayers while feeling drowsy or while withholding his need to urinate or defecate. It is also disapproved for one to perform prayers while wearing tight socks that exert pressure on his feet. Apart from these instances, there are other disapproved acts that are mentioned in more detailed books.

INSTANCES OF WHEN IT IS PERMITTED (*JĀ'IZ*) TO BREAK AN OBLIGATORY (*WĀJIB*) PRAYER

Ruling 1145. Based on obligatory precaution, it is not permitted for one to voluntarily break an obligatory prayer. However, there is no problem if one does so in order to protect property or to prevent financial or physical harm. In fact, there is no problem [if one breaks an obligatory prayer] for any religious or worldly purpose that is of importance to him.

Ruling 1146. If without breaking one's prayers it is not possible for him to protect his life or the life of someone whose life is obligatory on him to protect, or property whose protection is obligatory on him, then he must break his prayers.

Ruling 1147. If there is ample time for prayers and while one is performing prayers a creditor asks him to pay him what he is owed, in the event that he is able to repay his debt while performing prayers, he must do so. If it is not possible for him to repay his debt without breaking his prayers, he must break his prayer, repay the debt, and then perform the prayer.

Ruling 1148. If while performing prayers one realises that the mosque is impure, in the event that the time remaining is short, he must complete his prayers. However, if there is ample time and purifying the mosque would not break up the prayer, he must purify it while in prayers and then perform the rest of the prayer. And if the prayer would be broken up, then in case it is possible to purify the mosque, it is permitted to break the prayer in order to purify it. And if purifying the mosque after prayers is not possible, he must break his prayers, purify the mosque, and then perform prayers.

Ruling 1149. If someone who must break his prayer completes it, his prayer is valid even though he has committed a sin. However, the recommended precaution is that he should perform the prayer again.

Ruling 1150. If before *qirā'ah* or before bowing down to the extent required for *rukū'* one remembers that he has forgotten to say *adhān* and *iqāmah*, or only *iqāmah*, in the event that there is ample time, it is recommended that he breaks his prayer in order to say them. In fact, if he remembers before completing his prayer that he has forgotten them, it is recommended that he breaks his prayer in order to say them.

DOUBTS THAT ARISE IN PRAYERS (*SHAKKIYYĀT*)

There are twenty-three types of doubt in prayers; eight of these invalidate prayers, six of them must be dismissed, and nine are valid.

DOUBTS THAT INVALIDATE PRAYERS

Ruling 1151. The following are doubts that invalidate prayers:

1. a doubt about the number of *rak'ahs* in obligatory prayers consisting of two *rak'ahs*, such as *ṣubḥ* prayers and the prayer of a traveller. However, a doubt about the number of *rak'ahs* in recommended prayers and in *ṣalāt al-iḥtiyāt* does not invalidate them;
2. a doubt about the number of *rak'ahs* in prayers consisting of three *rak'ahs*;
3. a doubt about whether one has performed one *rak'ah* or more in a prayer consisting of four *rak'ahs*;
4. in a prayer consisting of four *rak'ahs*, before going into the second *sajdah*, one doubts whether he has performed two *rak'ahs* or more;
5. a doubt about whether one has performed two or five *rak'ahs*, or, two or more than five *rak'ahs*;
6. a doubt about whether one has performed three or six *rak'ahs*, or, three or more than six *rak'ahs*;
7. a doubt about the number of *rak'ahs* when one does not know at all how many *rak'ahs* he has performed;
8. a doubt about whether one has performed four or six *rak'ahs*, or, four or more than six *rak'ahs*, as per the details that will be mentioned later.

Ruling 1152. If a person has a doubt that invalidates prayers, it is better that he does not break his prayer as soon as the doubt arises; rather, he should think [about the doubt] to the extent that the form of the prayer breaks up or until he loses hope in attaining certainty or a supposition.

DOUBTS THAT MUST BE DISMISSED

Ruling 1153. Doubts that must be dismissed are as follows:

1. a doubt about an act for which the time of performance has passed. For example, in *rukū'* one doubts whether he recited Surat al-Ḥamd or not;
2. a doubt that arises after the *salām* of the prayer;
3. a doubt that arises after the time of prayers has expired;
4. a doubt of one who doubts excessively (*kathīr al-shakk*);

5. a doubt held by an imam of congregational prayers about the number of *rak'ahs* performed when a follower is sure about it; and similarly, a doubt held by a follower when the imam is sure of the number of *rak'ahs* performed;
6. a doubt in recommended prayers and in *ṣalāt al-iḥtiyāt*.

These six types of doubt will now be dealt with in sequence.

1. A doubt about an act for which the time
of performance has passed

Ruling 1154. If during prayers one doubts whether he performed a certain obligatory act of the prayer or not – for example, he doubts whether he recited Surat al-Ḥamd or not – then, in the event that he has started to perform an act that legally (*shar'an*) one must not perform if he intentionally misses that previous act – for example, while reciting the other surah he doubts whether he recited Surat al-Ḥamd or not – in such a case, he must dismiss his doubt;⁵⁴ otherwise [i.e. if he has not started to perform the other act], he must perform the act about which he doubts.

Ruling 1155. If while reciting a verse one doubts whether or not he recited the previous verse, or, if while reciting the end of a verse one doubts whether or not he recited the beginning of it, he must dismiss his doubt.

Ruling 1156. If after *rukū'* or *sajdah* one doubts whether or not he performed its obligatory acts, such as *dhikr* and keeping the body still, he must dismiss his doubt.

Ruling 1157. If while going to *sajdah* one doubts whether or not he performed *rukū'*, or he doubts whether or not he stood up after *rukū'* [before going into *sajdah*], he must dismiss his doubt.

Ruling 1158. If while standing up one doubts whether or not he

⁵⁴ In normal circumstances, if one intentionally does not recite Surat al-Ḥamd, he is not permitted to recite the other surah. However, in a situation where one has not missed Surat al-Ḥamd intentionally and while he is saying the other surah he doubts whether or not he recited Surat al-Ḥamd, he must dismiss his doubt.

performed *sajdah* or said *tashahhud*, he must dismiss his doubt.

Ruling 1159. With regard to someone who performs prayers in a sitting or lying position, if while reciting Surat al-Ḥamd or *al-tasbiḥāt al-arbaʿah* he doubts whether or not he performed *sajdah* or said *tashahhud*, he must dismiss his doubt. However, if before one starts to recite Surat al-Ḥamd or *al-tasbiḥāt al-arbaʿah* he doubts whether or not he performed *sajdah* or said *tashahhud*, he must perform them.

Ruling 1160. If a person doubts whether or not he performed one of the *rukns* of prayers, in the event that he has not started to perform the act after it, he must perform it. For example, if before saying *tashahhud* he doubts whether or not he performed two *sajdahs*, he must perform them. And in the event that afterwards he remembers that he had performed that *rukṇ*, then based on obligatory precaution, his prayer is invalid as he will have performed an additional *rukṇ*.

Ruling 1161. If a person doubts whether or not he performed an act that is not a *rukṇ* of the prayer, in the event that he has not started to perform the act after it, he must perform it. For example, if before reciting the other surah he doubts whether or not he recited Surat al-Ḥamd, he must recite Surat al-Ḥamd. And if after performing it he remembers that he had recited it, his prayer is valid as he will not have performed an additional *rukṇ*.

Ruling 1162. If a person doubts whether or not he performed a *rukṇ* of the prayer – for example, while saying *tashahhud* he doubts whether or not he performed the two *sajdahs* – and he then dismisses his doubt but later remembers that he had not performed that *rukṇ*, then in case he has not started to perform the next *rukṇ*, he must perform it. However, if he has started to perform the next *rukṇ*, then based on obligatory precaution, his prayer is invalid. For example, if before he performs the *rukūʿ* of the next *rakʿah* he remembers that he did not perform the two *sajdahs*, he must perform them; but, if he remembers this while performing *rukūʿ* or after it, his prayer is invalid, as mentioned earlier.

Ruling 1163. If a person doubts whether or not he performed an act that is not a *rukṇ*, in the event that he has started to perform the

next act, he must dismiss his doubt. For example, if while reciting the other surah he doubts whether or not he recited Surat al-Ḥamd, he must dismiss his doubt; and if he later remembers that he did not perform it, then in case he has not started to perform the next *rukʿn*, he must perform it and whatever comes after it; but, if he has started to perform the next *rukʿn*, his prayer is valid. Therefore, if, for example, while performing *qunūt* he remembers that he did not recite Surat al-Ḥamd, he must recite Surat al-Ḥamd and the other surah, and if he remembers this in *rukūʿ*, [he must continue and] his prayer is valid.

Ruling 1164. If a person doubts whether or not he said the *salām* of the prayer, in the event that he has started reciting *taʿqībāt* or he has started to perform another prayer or he has done something that invalidates prayers, he must dismiss his doubt. And if his doubt arises before he has performed these, he must say the *salām*. And if one doubts whether or not he said the *salām* correctly, he must dismiss his doubt no matter what stage of the prayer he is in.

2. Doubt after *salām*

Ruling 1165. If a person doubts after the *salām* of the prayer whether or not his prayer was valid – for example, he doubts whether or not he performed *rukūʿ*, or after the *salām* of a four *rakʿah* prayer he doubts whether he performed four or five *rakʿahs* – he must dismiss his doubt. However, if both sides of his doubt are such that each possibility would mean his prayer is invalid – for example, after the *salām* of a four *rakʿah* prayer he doubts whether he performed three or five *rakʿahs*, his prayer is invalid.

3. Doubt after the time of prayers

Ruling 1166. If after the time for prayers has expired one doubts whether or not he performed the prayer, or he supposes⁵⁵ that he has

⁵⁵ In Islamic law, the difference between a 'doubt' (*shakk*) and a 'supposition' (*ẓann*) is as follows: with a doubt, the person regards the two sides of a possibility as having an equal likelihood of being correct; for example, he does not know whether he has performed two *rakʿahs* or three and he deems both of these possibilities as having an equal likelihood of being correct. His uncertainty here is referred to as his doubt. With a supposition, however, the person regards one side of the possibility as having

not, it is not necessary for him to perform that prayer. However, if before the time for prayers has expired he doubts whether or not he performed it, he must perform it even if he supposes he has done so.

Ruling 1167. If after the time for prayers has expired one doubts whether or not he performed the prayer correctly, he must dismiss his doubt.

Ruling 1168. If after the time for *ẓuhr* and *ʿaṣr* has expired one knows that he performed a four *rakʿah* prayer but he does not know whether he performed it with the intention of *ẓuhr* or *ʿaṣr*, he must perform another four *rakʿah* prayer with the intention of making up the prayer that is obligatory on him.

Ruling 1169. If after the time for *maghrib* and *ʿishāʾ* has expired one knows that he has performed a prayer but he does not know whether he performed a three or four *rakʿah* prayer, he must make up both the *maghrib* and *ʿishāʾ* prayers.

4. An excessive doubter (*kathīr al-shakk*)

Ruling 1170. A *kathīr al-shakk* is someone who doubts excessively, i.e. a person who doubts more than usual when compared with other people who are like him in terms of being subject to the same factors that cause one to have an unsettled mind. An excessive doubter is not only someone who has already made a habit of doubting excessively; rather, it is sufficient for one to be in a state of developing a habit of doubting [for him to be considered an excessive doubter].

Ruling 1171. If someone who doubts excessively doubts whether or not he has performed an obligatory component of the prayer, he must assume he has performed it. For example, if he doubts whether or not he has performed *rukūʿ*, he must assume he has performed *rukūʿ*. If he doubts whether or not he has performed an act that invalidates prayers – for example, he doubts whether he performed *ṣubḥ* prayers as a two *rakʿah* prayer or as a three *rakʿah* one – he

a greater likelihood of being correct than the other. In the example above, if the person deems it more likely that he has performed three *rakʿahs* rather than two, then this stronger possibility is his supposition.

must assume he has performed it correctly.

Ruling 1172. If a person doubts excessively about a particular act of the prayer such that his excessive doubting is considered to be only with regard to that particular act, in the event that he has a doubt about another act of the prayer, he must act according to the instructions concerning that doubt. For example, if someone who doubts excessively about whether or not he has performed *sajdah* also doubts whether he has performed *rukūʿ* or not, he must act according to the instructions concerning that doubt; i.e. if he has not gone into *sajdah* he must perform *rukūʿ*, and if he has gone into *sajdah* he must dismiss his doubt.

Ruling 1173. If a person always doubts excessively in a particular prayer – for example, in the *zuhr* prayer – such that his excessive doubting is considered to be only with regard to that particular prayer, then, if he doubts in another prayer, such as the *ʿaṣr* prayer, he must act according to the instructions concerning that doubt.

Ruling 1174. If a person doubts excessively only when he performs prayers in a particular place in the same manner that was mentioned in the previous ruling, then, if he performs prayers in another place and has a doubt, he must act according to the instructions concerning that doubt.

Ruling 1175. If a person doubts whether or not he has become an excessive doubter, he must act according to the instructions concerning doubts [and not consider himself to be an excessive doubter]. Furthermore, as long as someone who is an excessive doubter is not certain that he has returned to a state that is normal among people, then, if his lack of certainty about this stems from being unsure about a change having taken place in his condition rather than from a doubt in the meaning of being an excessive doubter, he must dismiss his doubt [and consider himself to be an excessive doubter].

Ruling 1176. If an excessive doubter doubts whether or not he has performed a *rukʿn* and dismisses his doubt but later realises that he had actually not performed it, in the event that he has not started to perform the next *rukʿn*, he must perform that *rukʿn* [about which he

doubted] and what follows it. However, if he has started to perform the next *rukṇ*, then based on obligatory precaution, his prayer is invalid. For example, if he doubts whether he has performed *rukūʿ* or not and dismisses his doubt, in the event that before performing the second *sajdah* he remembers he has not performed *rukūʿ*, he must go back and perform *rukūʿ*; but if he remembers this in the second *sajdah*, then based on obligatory precaution, his prayer is invalid.

Ruling 1177. If a person who doubts excessively doubts whether or not he has performed an act that is not a *rukṇ* and dismisses it and later realises that he had not performed it, in the event that the time for performing that act has not passed, he must perform it and what follows it. However, if the time for performing it has passed, his prayer is valid. For example, if he doubts whether or not he has recited Surat al-Ḥamd and dismisses his doubt, in the event that he remembers in *qunūt* that he has not recited Surat al-Ḥamd, he must recite Surat al-Ḥamd and the other surah; but if he remembers this in *rukūʿ*, his prayer is valid.

5. Doubt of an imam and a follower in congregational prayers

Ruling 1178. If an imam of a congregational prayer has a doubt about the number of *rakʿahs* – for example, he doubts whether he has performed three *rakʿahs* or four *rakʿahs* – then, in the event that a follower is certain or supposes that he has performed four *rakʿahs* and makes it known to the imam that he has performed four *rakʿahs*,⁵⁶ the imam must complete the prayer and it is not necessary for him to perform *ṣalāt al-iḥtiyāt*. Similarly, if the imam is certain or supposes that he has performed a certain number of *rakʿahs* and a follower has a doubt about the number of *rakʿahs*, the follower must dismiss his doubt. The same applies with regard to a doubt that they may have about the acts of prayers, such as a doubt about the number of *sajdahs* performed.

⁵⁶ For example, the follower can make it known to the imam that he has performed four *rakʿahs* by saying *‘alḥamdu lillāh’* after the second *sajdah* of the fourth *rakʿah* in a manner that is audible to the imam so as to alert him to the fact that he must now start saying the *salām* of the prayer.

6. Doubts in recommended prayers

Ruling 1179. If a person doubts about the number of *rak'ahs* he has performed in a recommended prayer, in the event that the greater of the two numbers he is doubtful about would invalidate the prayer, he must assume the lesser number is correct. For example, in the *nāfilah* of *ṣubḥ*, if one doubts whether he has performed two *rak'ahs* or three *rak'ahs*, he must assume he has performed two *rak'ahs*. However, if the greater of the two numbers would not invalidate the prayer – for example, he doubts whether he has performed two *rak'ahs* or one *rak'ah* – then his prayer is valid whichever side of the doubt he acts upon.

Ruling 1180. Not performing a *rukṇ* invalidates *nāfilah* prayers; however, performing an additional *rukṇ* does not invalidate them. Therefore, if one forgets one of the acts of *nāfilah* prayers and remembers it when he has started to perform the next *rukṇ*, he must perform the act and then perform the *rukṇ* again. For example, if while performing *rukū'* he remembers that he has not recited Surat al-Ḥamd, he must go back and recite Surat al-Ḥamd and then perform *rukū'* again.

Ruling 1181. If a person doubts about one of the acts of *nāfilah* prayers – irrespective of whether it is a *rukṇ* or not – then, in the event that its time of performance has not passed, he must perform it; and if its time of performance has passed, he must dismiss his doubt.

Ruling 1182. If in a two *rak'ah* recommended prayer one supposes that he has performed three *rak'ahs* or more, he must dismiss his doubt and his prayer is valid. However, if he supposes that he has performed two *rak'ahs* or less, then based on obligatory precaution, he must act according to that supposition. For example, if he supposes that he has performed one *rak'ah*, he must as a precautionary measure perform another *rak'ah*.

Ruling 1183. If in a *nāfilah* prayer one does something that would make it obligatory on him to perform *sajdat al-sahw* were he to do that thing in an obligatory prayer, or, if he forgets to perform one *sajdah*, then it is not necessary for him to perform *sajdat al-sahw* or to perform a *qaḍā' sajdah* after the prayer.

Ruling 1184. If a person doubts whether or not he has performed a recommended prayer, in the event that the prayer does not have a specific time for its performance, such as the Prayer of Ja'far al-Ṭayyār,⁵⁷ he must assume he has not performed it. The same applies if the recommended prayer does have a specific time for its performance, such as the daily *nāfilah* prayers, and before its time has expired one doubts whether or not he has performed it. However, if after its time has expired one doubts whether or not he has performed it, he must dismiss his doubt.

DOUBTS THAT ARE VALID (ṢAḤĪḤ)

Ruling 1185. In nine situations if one doubts about the number of *rak'ahs* in a four *rak'ah* prayer, he must think [about the doubt]; then, if he becomes certain or he supposes that a particular possibility is correct, he must act according to that possibility and complete the prayer; otherwise, he must act according to the instructions that will be mentioned later. The nine situations are as set out below.

First: after starting the second *sajdah*, one doubts whether he has performed two *rak'ahs* or three *rak'ahs*. In this situation, he must assume he has performed three *rak'ahs* and perform one more *rak'ah* and complete the prayer, and after the prayer he must perform one *rak'ah* of *ṣalāt al-iḥtiyāt* in a standing position; and based on obligatory precaution, performing two *rak'ahs* in a sitting position will not suffice.

Second: after starting the second *sajdah*, one doubts whether he has performed two *rak'ahs* or four *rak'ahs*. In this situation, he must assume he has performed four *rak'ahs* and complete the prayer; and after the prayer, he must perform two *rak'ahs* of *ṣalāt al-iḥtiyāt* in a standing position.

Third: after starting the second *sajdah*, one doubts whether he has performed two, three, or four *rak'ahs*. In this situation, he must

⁵⁷ The Prayer of Ja'far al-Ṭayyār is a four *rak'ah* recommended prayer taught by the Holy Prophet (S) to his cousin, Ja'far al-Ṭayyār. See, for example, Shaykh 'Abbās al-Qummi's *Mafātiḥ al-jinān*, in the section on the recommended acts for Friday.

assume he has performed four *rak'ahs* and after the prayer he must perform two *rak'ahs* of *ṣalāt al-iḥtiyāt* in a standing position followed by two *rak'ahs* in a sitting position.

Fourth: after starting the second *sajdah*, one doubts whether he has performed four or five *rak'ahs*. In this situation, he must assume he has performed four *rak'ahs*, complete the prayer, and after the prayer he must perform two *sajdat al-sahws*. Similarly, whenever the weaker possibility of a doubt is four *rak'ahs* – for example, he doubts whether he has performed four or six *rak'ahs* – and whenever one doubts whether he has performed four *rak'ahs* or more or less after having started the second *sajdah*, he can assume he has performed four *rak'ahs* and perform the duty relating to both possibilities of his doubt; i.e. he must perform *ṣalāt al-iḥtiyāt* based on the possibility that he had performed less than four *rak'ahs*, and then perform two *sajdat al-sahws* based on the possibility that he had performed more than four *rak'ahs*. In each case, if any of these four doubts arise after the first *sajdah* and before performing the second *sajdah*, his prayer is invalid.

Fifth: at any stage of the prayer, one doubts whether he has performed three or four *rak'ahs*. In this situation, he must assume he has performed four *rak'ahs*, complete the prayer, and after the prayer he must perform one *rak'ah* of *ṣalāt al-iḥtiyāt* in a standing position or two *rak'ahs* in a sitting position.

Sixth: while standing, one doubts whether he has performed four or five *rak'ahs*. In this situation, he must sit down, say *tashahhud* and the *salām* of the prayer, and perform one *rak'ah* of *ṣalāt al-iḥtiyāt* in a standing position or two *rak'ahs* in a sitting position.

Seventh: while standing, one doubts whether he has performed three or five *rak'ahs*. In this situation, he must sit down, say *tashahhud* and the *salām* of the prayer, and perform one *rak'ah* of *ṣalāt al-iḥtiyāt* in a standing position or two *rak'ahs* in a sitting position.

Eighth: while standing, one doubts whether he has performed three, four, or five *rak'ahs*. In this situation, he must sit down, say *tashahhud* and the *salām* of the prayer, perform two *rak'ahs* of *ṣalāt al-iḥtiyāt* in a

standing position, and then perform two *rak'ahs* in a sitting position.

Ninth: while standing, one doubts whether he has performed five or six *rak'ahs*. In this situation, he must sit down, say *tashahhud* and the *salām* of the prayer, and then perform two *sajdat al-sahws*.

Ruling 1186. If a person has a valid doubt, in the event that the time for performing prayers is short such that he cannot perform it from the beginning, he must not break his prayer and must act according to the instructions that were mentioned. However, if there is ample time for prayers, he can break his prayer and perform it from the beginning.

Ruling 1187. If one has a doubt in prayers for which it is obligatory to perform *ṣalāt al-iḥtiyāt*, in the event that he completes the prayer, the recommended precaution is that he should perform *ṣalāt al-iḥtiyāt*, and he should not start performing the prayer again from the beginning without performing *ṣalāt al-iḥtiyāt*. If he starts performing the prayer again from the beginning before he does something that invalidates prayers, then based on obligatory precaution, his second prayer is also invalid. However, if he starts performing the prayer again after doing something that invalidates prayers, his second prayer is valid.

Ruling 1188. If a person has a doubt that invalidates prayers and he knows that if he continues to the next stage of the prayer he will either be certain or have a supposition [regarding his doubt], then in case this doubt arises in the first two *rak'ahs* of the prayer, it is not permitted for him to continue the prayer in the state of doubt. For example, if while standing he doubts whether he has performed one *rak'ah* or more and knows that if he goes into *rukū'* one of the possibilities of his doubt will become a certainty or a supposition, it is not permitted for him to perform *rukū'* in this state. As for all other doubts that invalidate prayers, one can continue the prayer until he becomes certain or has a supposition.

Ruling 1189. If a person initially inclines more towards one of the two possibilities of his supposition and later both possibilities appear equal to him, he must act according to the instructions concerning

that doubt. However, if from the outset both possibilities appear equal to him and he adopts the possibility that is in accordance with his duty but later he inclines towards the other possibility, he must act according to the possibility that he inclines towards and complete his prayer.

Ruling 1190. Someone who does not know if his supposition is inclined more towards one of two possibilities or if both possibilities are equal must act according to the instructions concerning that doubt.

Ruling 1191. If after prayers one realises that he was in a state of doubt during his prayer – for example, he doubted whether he had performed two *rak'ahs* or three *rak'ahs* – and he assumed that he had performed three, but now he does not know whether his supposition was actually inclined towards performing three *rak'ahs* or if both possibilities appeared equal to him, it is not necessary for him to perform *ṣalāt al-iḥtiyāt*.

Ruling 1192. If after standing up one doubts whether or not he performed two *sajdahs*, and at the same time a doubt arises that were it to have arisen having completed two *sajdahs* it would be valid – for example, he doubts whether he has performed two *rak'ahs* or three *rak'ahs* – then, in the event that he acts according to the instructions concerning that doubt, his prayer is valid. However, if when he is saying *tashahhud* one of these doubts arises, then if his doubt is about whether he has performed two or three *rak'ahs*, his prayer is invalid, but if it is about whether he has performed two or four *rak'ahs*, or two, three, or four *rak'ahs*, his prayer is valid and he must act according to the instructions concerning that doubt.

Ruling 1193. If before one starts saying *tashahhud*, or before standing up in those *rak'ahs* that do not have *tashahhud*, he doubts whether or not he performed one or two *sajdahs*, and at the same time he has one of the doubts that is valid after completing two *sajdahs*, his prayer is invalid.

Ruling 1194. If while standing one doubts whether he has performed three or four *rak'ahs*, or three, four, or five *rak'ahs*, and he remembers

that he did not perform one or two *sajdahs* in the previous *rak'ah*, his prayer is invalid.

Ruling 1195. If someone's doubt is allayed and another doubt arises – for example, he first doubts whether he has performed two *rak'ahs* or three *rak'ahs*, and then he doubts whether he has performed three *rak'ahs* or four *rak'ahs* – he must act according to the instructions concerning the second doubt.

Ruling 1196. If after prayers one doubts that while performing the prayer, he had a doubt about, for example, whether he had performed two or four *rak'ahs*, or three or four *rak'ahs*, in such a case, he can act according to the instructions relating to both doubts and after doing something that invalidates prayers, he can perform the prayer again.

Ruling 1197. If after prayers one realises that while performing the prayer he had a doubt but he does not know whether it was a doubt that invalidates the prayer or not, in such a case, he must perform the prayer again. And if he knows that it was one of the valid doubts but does not know which one it was, it is permitted for him to perform the prayer again.

Ruling 1198. If someone who performs prayers in a sitting position has a doubt for which he must perform one *rak'ah* of *ṣalāt al-iḥtiyāt* in a standing position or two *rak'ahs* in a sitting position, he must perform one *rak'ah* in a sitting position. And if he has a doubt for which he must perform two *rak'ahs* of *ṣalāt al-iḥtiyāt* in a standing position, he must perform two *rak'ahs* in a sitting position.

Ruling 1199. If someone who performs prayers in a standing position is unable to stand for performing *ṣalāt al-iḥtiyāt*, he must perform *ṣalāt al-iḥtiyāt* like a person who performs prayers in a sitting position, the rule of which was mentioned in the previous ruling.

Ruling 1200. If someone who performs prayers in a sitting position can stand while performing *ṣalāt al-iḥtiyāt*, he must act according to the duty of someone who performs prayers in a standing position.

METHOD OF PERFORMING THE PRECAUTIONARY PRAYER (ṢALĀT AL-IḤTIYĀT)

Ruling 1201. A person upon whom *ṣalāt al-iḥtiyāt* is obligatory must make the intention of performing *ṣalāt al-iḥtiyāt* immediately after the *salām* of the prayer; he must then say *takbīr*, recite Surat al-Ḥamd, and perform *rukūʿ* and two *sajdahs*. If one *rakʿah* of *ṣalāt al-iḥtiyāt* is obligatory on him, then after performing the two *sajdahs* he must say *tashahhud* and the *salām*. If two *rakʿahs* of *ṣalāt al-iḥtiyāt* are obligatory on him, then after performing the two *sajdahs* he must perform another *rakʿah* in the same way as the first, and after *tashahhud* he must say the *salām*.

Ruling 1202. *Ṣalāt al-iḥtiyāt* does not have a second surah or *qunūt*, and one must not speak out the intention for it; furthermore, based on obligatory precaution, one must recite Surat al-Ḥamd in a whisper; and the recommended precaution is that he should also say its *bismillāh* in a whisper.

Ruling 1203. If before performing *ṣalāt al-iḥtiyāt* one realises that the prayer he performed was correct, it is not necessary for him to perform *ṣalāt al-iḥtiyāt*; and if he realises this while performing *ṣalāt al-iḥtiyāt*, it is not necessary for him to complete it.

Ruling 1204. If before performing *ṣalāt al-iḥtiyāt* one realises that the number of *rakʿahs* he performed were less than the required number, in the event that he has not done anything that invalidates prayers, he must perform whatever he has not performed; then, based on obligatory precaution, he must perform two *sajdat al-sahws* for saying an additional *salām*. However, if he has done something that invalidates prayers – for example, he turned his back to qibla – then he must perform the prayer again.

Ruling 1205. If after performing *ṣalāt al-iḥtiyāt* one realises that the deficiency in the number of *rakʿahs* in his prayer was the same as the number of *rakʿahs* in his *ṣalāt al-iḥtiyāt* – for example, for the doubt between three and four *rakʿahs*, he performs one *rakʿah* of *ṣalāt al-iḥtiyāt* and he later realises that he had performed three

rak'ahs – in such a case, his prayer is valid.

Ruling 1206. If after performing *ṣalāt al-iḥtiyāt* one realises that the deficiency in the number of *rak'ahs* in his prayer was less than the number of *rak'ahs* in his *ṣalāt al-iḥtiyāt* – for example, for the doubt between two and four *rak'ahs*, he performs two *rak'ahs* of *ṣalāt al-iḥtiyāt* and he later realises that he had performed three *rak'ahs* – in such a case, he must perform the [original] prayer again.

Ruling 1207. If after performing *ṣalāt al-iḥtiyāt* one realises that the deficiency in the number of *rak'ahs* in his prayer was more than the number of *rak'ahs* in his *ṣalāt al-iḥtiyāt* – for example, for the doubt between three and four *rak'ahs*, he performs one *rak'ah* of *ṣalāt al-iḥtiyāt* and he later realises that he had performed two *rak'ahs* – then, in the event that after performing *ṣalāt al-iḥtiyāt* he did something that invalidates prayers, such as turning his back to qibla, he must perform the prayer again. However, if he did not do anything that invalidates prayers, then the obligatory precaution is that in this case also he must perform the prayer again, and he must not suffice with joining one *rak'ah* to the prayer.

Ruling 1208. If a person doubts whether he has performed two, three, or four *rak'ahs*, and after performing two *rak'ahs* of *ṣalāt al-iḥtiyāt* in a standing position he remembers that he had actually performed two *rak'ahs*, it is not necessary for him to perform two *rak'ahs* of *ṣalāt al-iḥtiyāt* from a sitting position.

Ruling 1209. If a person doubts whether he has performed three or four *rak'ahs*, and while performing one *rak'ah* of *ṣalāt al-iḥtiyāt* in a standing position he remembers that he had performed three *rak'ahs*, he must abandon *ṣalāt al-iḥtiyāt*; and in the event that he remembers this before going into *rukū'*, he must perform one *rak'ah* in a way that it connects with his prayer, and his prayer is valid. And for performing an additional *salām*, based on obligatory precaution, he must perform two *sajdat al-sahws*. However, if he remembers [that he had performed three *rak'ahs*] after going into *rukū'*, he must perform the prayer again; and based on obligatory precaution, he cannot suffice with joining the remaining *rak'ah* to his prayer.

Ruling 1210. If a person doubts whether he has performed two, three, or four *rak'ahs*, and while performing two *rak'ahs* of *ṣalāt al-iḥtiyāt* in a standing position he remembers that he has performed three *rak'ahs*, then what was said in the previous ruling applies here as well.

Ruling 1211. If while performing *ṣalāt al-iḥtiyāt* one realises that the deficiency in the number of *rak'ahs* in his prayer was more or less than the number of *rak'ahs* in his *ṣalāt al-iḥtiyāt*, then what was mentioned in Ruling 1209 applies here as well.

Ruling 1212. If a person doubts whether or not he has performed a *ṣalāt al-iḥtiyāt* that was obligatory on him, in the event that the time for prayer has expired, he must dismiss his doubt. However, if there is time, then in case a lot of time has not elapsed between the doubt and the [original] prayer, and he has not started to do something else, and he has not done something that invalidates prayers – such as turning his back to qibla – in such a case, he must perform *ṣalāt al-iḥtiyāt*. However, if he has done something that invalidates prayers, or he has started to do something else, or a lot of time has elapsed between the doubt and the [original] prayer, then based on obligatory precaution, he must perform the [original] prayer again.

Ruling 1213. If in *ṣalāt al-iḥtiyāt* a person performs two *rak'ahs* instead of one, his *ṣalāt al-iḥtiyāt* becomes invalid and he must perform his original prayer again. The same applies, based on obligatory precaution, if one adds a *ruk'n* to *ṣalāt al-iḥtiyāt*.

Ruling 1214. If while performing *ṣalāt al-iḥtiyāt* one has a doubt about one of the acts, in the event that its time of performance has not passed, he must perform it; and if its time of performance has passed, he must dismiss his doubt. For example, if he doubts whether or not he has recited Surat al-Ḥamd, in the event that he has not yet gone into *rukū'* he must recite it, but if he has gone into *rukū'* he must dismiss his doubt.

Ruling 1215. If a person doubts about the number of *rak'ahs* he has performed in *ṣalāt al-iḥtiyāt*, in the event that the greater of the two numbers he is doubtful about would invalidate the prayer, he must assume the lesser number is correct. However, if the greater of the

two numbers would not invalidate the prayer, he must assume the greater number is correct. For example, if while performing two *rak'ahs* of *ṣalāt al-iḥtiyāt* he doubts whether he has performed two or three *rak'ahs*, as the greater of the two numbers would invalidate the prayer, he must assume that he has performed two *rak'ahs*; but if he doubts whether he has performed one or two *rak'ahs*, then as the greater number would not invalidate the prayer, he must assume that he has performed two *rak'ahs*.

Ruling 1216. If in *ṣalāt al-iḥtiyāt* something that is not a *rukṇ* is inadvertently omitted or added, then performing *sajdat al-sahw* is not required.

Ruling 1217. If after the *salām* of *ṣalāt al-iḥtiyāt* one doubts whether or not he has performed a particular component of it or whether he has fulfilled all its conditions, he must dismiss his doubt.

Ruling 1218. If in *ṣalāt al-iḥtiyāt* one forgets *tashahhud* or one *sajdah* and it is not possible to perform them at their correct time, the obligatory precaution is that after the *salām* of the prayer, he must make up the *sajdah*; however, it is not necessary for him to make up the *tashahhud*.

Ruling 1219. If *ṣalāt al-iḥtiyāt* and two *sajdat al-sahws* become obligatory on a person, he must first perform *ṣalāt al-iḥtiyāt*. The same applies, based on obligatory precaution, if *ṣalāt al-iḥtiyāt* and making up a *sajdah* become obligatory on a person.

Ruling 1220. The rule concerning suppositions (*ẓann*) in the number of *rak'ahs* is the same as the rule concerning certainty. For example, if someone does not know whether he has performed one or two *rak'ahs* but has a supposition that he has performed two *rak'ahs*, he must assume he has performed two *rak'ahs*. And if in a four *rak'ah* prayer he has a supposition that he has performed four *rak'ahs*, then performing *ṣalāt al-iḥtiyāt* is not necessary. As for acts of prayers, the rule concerning suppositions is the same as that for doubts. Therefore, if one has a supposition that he has performed *rukū'*, then in case he has not gone into *sajdah*, he must perform *rukū'*; and if he has a supposition that he has not recited Surat al-Ḥamd, in the event that he

has started to recite the other surah, he must dismiss his supposition and his prayer is valid.

Ruling 1221. There is no difference in the rules for doubt, inadvertence, and supposition in the daily obligatory prayers and in the other obligatory prayers. For example, if in *ṣalāt al-āyāt* one doubts whether he has performed one *rak'ah* or two, then as his doubt is in a two *rak'ah* prayer, his prayer becomes invalid.⁵⁸ And if he has a supposition that he has performed two *rak'ahs* or that he has performed one *rak'ah*, he must complete his prayer in accordance with his supposition.

THE PROSTRATION FOR INADVERTENCE (SAJDAT AL-SAHW)

Ruling 1222. In the following two situations, one must perform two *sajdat al-sahws* after the *salām* of the prayer in a manner that will be explained later:

1. one forgets to say *tashahhud*;
2. in a four *rak'ah* prayer after going into the second *sajdah*, one doubts whether he has performed four or five *rak'ahs*, or he doubts whether he has performed four or six *rak'ahs*, as mentioned earlier in the fourth situation in the section on valid doubts.

Based on obligatory precaution, *sajdat al-sahw* is necessary in three situations:

1. one generally knows that he has mistakenly omitted or added something in a prayer and the prayer is ruled as being valid;
2. one inadvertently talks during prayers;
3. one says the *salām* of the prayer at a time when he must not; for example, in the first *rak'ah* he inadvertently says the *salām*. The recommended precaution is that if he forgets one *sajdah*, or when he must stand – for example, while reciting Surat al-Ḥamd and the other surah – he mistakenly sits down, or

⁵⁸ See Ruling 1151.

when he must sit – for example, while saying *tashahhud* – he mistakenly stands up, then in these cases, he should perform two *sajdat al-sahws*. In fact, for anything that is mistakenly omitted or added in prayer, he should perform two *sajdat al-sahws*. The rules of these situations will be explained in the following rulings.

Ruling 1223. If a person talks mistakenly or because he imagines his prayer has finished, then based on obligatory precaution, he must perform two *sajdat al-sahws*.

Ruling 1224. It is not obligatory for one to perform *sajdat al-sahw* for the sound he makes when coughing; however, if one inadvertently groans, sighs, or says ‘oh’, then based on obligatory precaution, he must perform *sajdat al-sahw*.

Ruling 1225. If a person repeats correctly something that he had inadvertently recited incorrectly, it is not obligatory on him to perform *sajdat al-sahw* for reciting it again.

Ruling 1226. If, while performing prayers, one inadvertently talks for a while and all his talking stems from one mistake, then performing two *sajdat al-sahws* after the *salām* of the prayer is sufficient.

Ruling 1227. If a person inadvertently does not say *al-tasbīhāt al-arba‘ah*, the recommended precaution is that he should perform two *sajdat al-sahws* after prayers.

Ruling 1228. If at a time when he must not say the *salām* of the prayer one inadvertently says: *assalāmu ‘alaynā wa ‘alā ‘ibādil lāhiṣ ṣāliḥīn*, or he says: *assalāmu ‘alaykum* even if after it he does not say: *wa raḥmatul lāhi wa barakātuh*, then based on obligatory precaution, he must perform two *sajdat al-sahws*. However, if he mistakenly says: *assalāmu ‘alayka ayyuḥan nabiyyu wa raḥmatul lāhi wa barakātuh*, then the recommended precaution is that he should perform two *sajdat al-sahws*. And if he says two or more words of the *salām*, then based on obligatory precaution, he must perform two *sajdat al-sahws*.

Ruling 1229. If a person mistakenly says all three sentences of *salām*

at a time when he must not say *salām*, two *sajdat al-sahws* will suffice.

Ruling 1230. If a person forgets one *sajdah* or *tashahhud* and remembers it before performing *rukūʿ* of the next *rakʿah*, he must go back and perform it; and based on recommended precaution, he should perform two *sajdat al-sahws* for the additional standing.

Ruling 1231. If a person remembers in *rukūʿ* or after it that he has forgotten one *sajdah* or *tashahhud* from the previous *rakʿah*, he must make up the *sajdah* after the *salām* of the prayer [for the forgotten *sajdah*]; and for [the forgotten] *tashahhud*, he must perform two *sajdat al-sahws*.

Ruling 1232. If a person intentionally does not perform *sajdat al-sahw* after the *salām* of the prayer he commits a sin; and based on obligatory precaution, he must perform it as soon as possible. And in the event that he inadvertently does not perform it, he must perform it as soon as he remembers and it is not necessary for him to perform the prayer again.

Ruling 1233. If a person doubts whether or not, for example, two *sajdat al-sahws* have become obligatory on him, it is not necessary for him to perform them.

Ruling 1234. If a person doubts whether, for example, two *sajdat al-sahws* have become obligatory on him or four, it is sufficient if he performs two *sajdat al-sahws*.

Ruling 1235. If a person knows that he has not performed one of the two *sajdat al-sahws*, and it is not possible to perform the other one on account of a long time having elapsed, or he knows that he inadvertently performed three *sajdahs*, he must perform two *sajdat al-sahws*.

METHOD OF PERFORMING SAJDAT AL-SAHW

Ruling 1236. The method of performing *sajdat al-sahw* is that immediately after the *salām* of the prayer, one must make the intention of

sajdat al-sahw and place his forehead, based on obligatory precaution, on something on which performing *sajdah* is permitted. The recommended precaution is that one says *dhikr* in the *sajdah*, and it is better that he says:

بِسْمِ اللَّهِ وَ بِاللَّهِ، اَسْلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَ رَحْمَةُ اللَّهِ وَ بَرَكَاتُهُ

bismil lâhi wa billâhi, assalâmu ‘alayka ayyuhan nabiyyu wa rahmatul lâhi
wa barakâtuh

In the name of Allah and by Allah. Peace be upon you O Prophet, and Allah’s mercy and His blessings (be upon you too).

Then, he must sit up and go into *sajdah* again, and he should say the *dhikr* mentioned above. [He must then sit] and say *tashahhud*, after which he must say:

اَسْلَامُ عَلَيْكُمْ

assalâmu ‘alaykum
Peace be upon you all.

And it is preferable that he adds the words:

وَ رَحْمَةُ اللَّهِ وَ بَرَكَاتُهُ

wa rahmatul lâhi wa barakâtuh
and Allah’s mercy and His blessings (be upon you too).

MAKING UP (QADĀ’) A FORGOTTEN SAJDĀH

Ruling 1237. If a person forgets a *sajdah* in his prayers and is required to make it up after the prayer, he must do so having met all the conditions of prayers, such as his body and clothing being pure, facing qibla, and the other conditions.

Ruling 1238. If a person forgets a few *sajdahs* – for example, he forgets one *sajdah* from the first *rak’ah* and another from the second – then after the prayer, he must make up both *sajdahs*. And the recommended precaution is that he should perform two *sajdat al-sahws* for each forgotten *sajdah*.

Ruling 1239. If a person forgets one *sajdah* and one *tashahhud*, he must perform two *sajdat al-sahws* for the forgotten *tashahhud*, but it is not necessary for him to do so for the forgotten *sajdah*, although it is better if he does.

Ruling 1240. If a person forgets two *sajdahs* from two *rak'ahs*, it is not necessary for him to observe sequence when making them up.

Ruling 1241. If between the *salām* of the prayer and making up the *sajdah* one does something that were he to do it intentionally or inadvertently in prayers it would invalidate the prayer – for example, he turns his back to qibla – then the recommended precaution is that after making up the *sajdah*, he should perform the prayer again.

Ruling 1242. If a person remembers after the *salām* of the prayer that he has forgotten one *sajdah* from the last *rak'ah*, in the event that he does not do anything that invalidates prayers, he must perform it and all that follows it, i.e. *tashahhud* and *salām*. And based on obligatory precaution, he must perform two *sajdat al-sahws* for saying an additional *salām*.

Ruling 1243. If between the *salām* of the prayer and making up the *sajdah* a person does something that makes it obligatory on him to perform *sajdat al-sahw* – for example, he inadvertently speaks – then based on obligatory precaution, he must first make up the *sajdah* and then perform two *sajdat al-sahws*.

Ruling 1244. If a person does not know whether he has forgotten a *sajdah* or *tashahhud* in prayers, he must make up the *sajdah* and perform two *sajdat al-sahws*. And the recommended precaution is that he should also make up the *tashahhud*.

Ruling 1245. If a person doubts whether or not he has forgotten a *sajdah* or *tashahhud*, it is not obligatory on him to make up the *sajdah* or the *sajdat al-sahw*.

Ruling 1246. If a person knows he has forgotten to perform a *sajdah* but doubts whether or not he remembered before performing *rukū'* of the next *rak'ah* and then performed it, the recommended precaution

is that he should make it up.

Ruling 1247. With regard to someone who must make up a *sajdah*, if for some reason *sajdat al-sahw* becomes obligatory on him as well, then based on obligatory precaution, after prayers he must first make up the *sajdah* and then perform *sajdat al-sahw*.

Ruling 1248. If after prayers one doubts whether or not he has made up a forgotten *sajdah*, in the event that the time for the prayer has not expired, he must make up the *sajdah*. In fact, even if the time has expired, he must, based on obligatory precaution, make it up.

OMITTING OR ADDING COMPONENTS OR CONDITIONS OF THE PRAYER

Ruling 1249. Whenever a person intentionally omits or adds something that is an obligatory component of the prayer, even to the extent of one word, the prayer is invalid.

Ruling 1250. If on account of ignorance a person adds or omits something that is an obligatory *rukʿn*, the prayer is invalid. As for omitting something that is obligatory but is not a *rukʿn* by someone who is inculpably ignorant – such as someone who trusts the words of a reliable person or a credible manual of Islamic rulings (*risālah*), and afterwards he realises that the person or the manual was wrong – this does not invalidate the prayer. Furthermore, in the event that a person does not know the relevant ruling, even if it is his own fault [for not knowing it], and he recites Surat al-Ḥamd and the other surah of *ṣubḥ*, *maghrib*, and *ʿishāʾ* prayers in a whisper, or he recites Surat al-Ḥamd and the other surah of *zuhr* and *ʿaṣr* aloud, or he performs *zuhr*, *ʿaṣr*, and *ʿishāʾ* prayers as four *rakʿah* prayers when he is a traveller, in these cases, his prayer is valid.

Ruling 1251. If during or after prayers one learns that his *wuḍūʾ* or *ghusl* was invalid, or that he started performing prayers without *wuḍūʾ* or *ghusl*, he must perform the prayer again with *wuḍūʾ* or *ghusl*; and if the time for the prayer has expired, he must make it up.

Ruling 1252. If after going into *rukūʿ* one remembers that he forgot to perform the two *sajdahs* in the previous *rakʿah*, then based on obligatory precaution, his prayer is invalid. However, if he remembers this before going into *rukūʿ*, he must go back, perform the two *sajdahs*, stand up, recite Surat al-Ḥamd and the other surah or *al-tasbiḥāt al-arbaʿah*, and then complete the prayer. And after prayers, based on recommended precaution, he should perform two *sajdat al-sahws* for the additional standing.

Ruling 1253. If before saying *ʿassalāmu ʿalaynā* and *ʿassalāmu ʿalaykum* [in the *salām* of the prayer] one remembers that he has not performed the two *sajdahs* in the last *rakʿah*, he must perform the two *sajdahs* and then say *tashahhud* and the *salām* of the prayer again.

Ruling 1254. If before the *salām* of the prayer one remembers that he has not performed one *rakʿah* or more from the end of the prayer, he must perform what he had forgotten.

Ruling 1255. If after the *salām* of the prayer one remembers that he has not performed one *rakʿah* or more from the end of the prayer, in the event that he has done something that were he to do it intentionally or inadvertently during prayers it would invalidate the prayer – such as turning his back to qibla – his prayer is invalid. However, if he has not done anything that were he to do it intentionally or inadvertently during prayers it would invalidate the prayer, he must immediately perform what he had forgotten and for the additional *salām*, he must, based on obligatory precaution, perform two *sajdat al-sahws*.

Ruling 1256. Whenever after the *salām* of the prayer one does something that were he to do it intentionally or inadvertently during prayers it would invalidate them – such as turning his back to qibla – and he later remembers that he has not performed the two last *sajdahs*, his prayer is invalid. However, if before doing something that invalidates prayers he remembers this, he must perform the two *sajdahs* that he had forgotten and say *tashahhud* and the *salām* of the prayer again; and based on obligatory precaution, he must perform two *sajdat al-sahws* for the *salām* that he first said.

Ruling 1257. If a person realises that he has performed a prayer before

its prescribed time, he must perform it again; and if its time has expired, he must make it up. If he realises that he performed it with his back to qibla, or he had turned ninety degrees or more [away from qibla], in the event that its time has not expired he must perform it again. However, if its time has expired, then in the event that he was uncertain or was ignorant about the rule, it is obligatory on him to make it up; otherwise, it is not. And if he realises that he had turned less than ninety degrees, and he did not have a legitimate excuse for turning away from qibla – for example, he was searching for the direction of qibla, or he was negligent in learning the ruling – then based on obligatory precaution, he must perform the prayer again, irrespective of whether there is time or not. However, if he did have a legitimate excuse, then it is not necessary for him to perform the prayer again.

PRAYERS OF A TRAVELLER

If the following eight conditions are fulfilled, a traveller must perform *zuhr*, *ʿaṣr*, and *ʿishā* prayers in their shortened (*qaṣr*) form; i.e. he must perform them as two *rakʿah* prayers.

First condition: the journey must not be less than eight *farsakhs* (approximately forty-four kilometres) [which is equal to approximately twenty-seven and a half miles].

Ruling 1258. If a person's outward and return journey totals eight *farsakhs* – irrespective of whether or not the outward or the return journey on its own is less than four *farsakhs* – he must perform *qaṣr* prayers. Therefore, if his outward journey is three *farsakhs* and his return is five, or vice versa, he must perform *qaṣr* prayers, i.e. [he must perform the four *rakʿah* prayers] as two *rakʿah* prayers.

Ruling 1259. If a person's outward and return journey totals eight *farsakhs*, then even if he does not return on the same day or night, he must perform *qaṣr* prayers; however, it is better that in this case, as a recommended precaution, he also performs prayers in their complete (*tamām*) form.

Ruling 1260. If a person's journey is a little short of eight *farsakhs*, or, if he does not know whether or not his journey is eight *farsakhs*, he must not perform *qaṣr* prayers. In the event that he doubts whether or not his journey is eight *farsakhs*, it is not necessary for him to investigate and he must perform *tamām* prayers.

Ruling 1261. If a just or a reliable person informs a person that his journey is eight *farsakhs*, and if he attains confidence in what he says, he must perform *qaṣr* prayers.

Ruling 1262. If someone who is certain that his journey is eight *farsakhs* performs *qaṣr* prayers and later realises that it was not eight *farsakhs*, he must perform them as four *rak'ah* prayers; and if the time has expired, he must make them up.

Ruling 1263. With regard to someone who is certain that the journey he wants to go on is not eight *farsakhs*, or he doubts whether or not it is eight *farsakhs*, in the event that he realises on the way that his journey is eight *farsakhs*, he must perform *qaṣr* prayers even if only a short distance of his journey is left. And if he has performed *tamām* prayers, he must perform them again in their shortened form; however, if the time has expired it is not necessary for him to make them up.

Ruling 1264. If a person comes and goes a number of times between two places which are less than four *farsakhs* apart, he must perform *tamām* prayers even if the total distance travelled by him is eight *farsakhs*.

Ruling 1265. If there are two roads to a place – one of them less than eight *farsakhs* and the other eight or more *farsakhs* – then, in the event that one goes to that place by the road that is eight *farsakhs*, he must perform *qaṣr* prayers; and if he goes by the road that is not eight *farsakhs*, he must perform *tamām* prayers.

Ruling 1266. The start of the eight *farsakhs* on one's journey must be calculated from the point beyond which a person is deemed to be a traveller; this is usually the outskirts of a town. However, in some very big cities it is possible that it is the outskirts of a particular area.

The end [of one's journey] is his final destination.

Second condition: one must have the intention of travelling eight *farsakhs* from the commencement of his journey; i.e. he must know that he will travel eight *farsakhs*. Therefore, if he travels to a place that is less than eight *farsakhs*, and after reaching that place he makes the intention of going to a place that together with the distance he has already travelled totals eight *farsakhs*, then as he did not have the intention of travelling eight *farsakhs* from the commencement of his journey, he must perform *tamām* prayers. However, if he wants to travel eight *farsakhs* from that place, or, for example, he wants to travel a distance that together with the return journey totals eight *farsakhs*, he must perform *qaṣr* prayers.

Ruling 1267. With regard to someone who does not know how many *farsakhs* his journey is – for example, he travels in order to find a lost person and does not know how far he must go before he finds him – he must perform *tamām* prayers. However, on the return journey, in the event that the distance to his home town (*waṭan*) or to a place where he intends to stay for ten days is eight or more *farsakhs*, he must perform *qaṣr* prayers. Similarly, if during his journey he makes an intention to travel a distance that together with the return journey totals eight *farsakhs*, he must perform *qaṣr* prayers.

Ruling 1268. A traveller must perform *qaṣr* prayers when he has decided to travel eight *farsakhs*. Therefore, if someone goes out of his town and, for example, his intention is that if he finds a friend he will travel for eight *farsakhs*, then, in the event that he is confident that he will find a friend, he must perform *qaṣr* prayers; and if he is not confident about this, he must perform *tamām* prayers.

Ruling 1269. If someone who has the intention of travelling eight *farsakhs* covers even a short distance every day, when he reaches the permitted limit (*ḥadd al-tarakkhkhuṣ*) (the meaning of which will be explained Ruling 1304), he must perform *qaṣr* prayers. However, if he covers a very short distance every day, the obligatory precaution is that he must perform both *qaṣr* and *tamām* prayers.

Ruling 1270. With regard to someone like a prisoner who is travelling

under the authority of someone else [i.e. a guard], in the event that he knows the journey will be eight *farsakhs*, he must perform *qaṣr* prayers. However, if he does not know, he must perform *tamām* prayers and it is not necessary for him to inquire [about the distance of the journey], although it is better that he does.

Ruling 1271. With regard to someone who is travelling under the authority of someone else, if he knows or supposes that he will become separated from the other person before reaching four *farsakhs* and that he will not travel any further, he must perform *tamām* prayers.

Ruling 1272. With regard to someone who is travelling under the authority of someone else, if he is not confident that he will become separated from the other person before reaching four *farsakhs* and that he will not travel any further, he must perform *tamām* prayers. However, if he is confident about this, he must perform *qaṣr* prayers.

Third condition: one must not change his intention on the way. If before travelling four *farsakhs* one changes his mind or becomes unsure [about continuing the journey], and the distance he has already travelled together with the return journey totals less than eight *farsakhs*, he must offer *tamām* prayers.

Ruling 1273. If after travelling some of the way, which together with the return journey totals eight *farsakhs*, one abandons the journey, in the event that he decides to remain in that place, or to return after ten days, or he is unsure about returning or staying there, he must perform *tamām* prayers.

Ruling 1274. If after travelling some of the way, which together with the return journey totals eight *farsakhs*, one changes his mind and decides to return, he must perform *qaṣr* prayers even if he wants to stay less than ten days in that place.

Ruling 1275. If a person travels towards a place on a journey of eight *farsakhs* and after going some distance he decides to go somewhere else, in the event that the distance between the first place from where he started his journey to the place where he wants to go is eight

farsakhs, he must perform *qaṣr* prayers.

Ruling 1276. If before travelling eight *farsakhs* one becomes unsure about continuing his journey, and while he is unsure he does not continue with his journey and later decides to continue with it, he must perform *qaṣr* prayers until the end of his journey.

Ruling 1277. If before travelling eight *farsakhs* one becomes unsure about continuing his journey, and while he is unsure he travels some distance and later decides to travel another eight *farsakhs*, or to travel to a place the distance to and from which totals eight *farsakhs*, he must perform *qaṣr* prayers until the end of his journey.

Ruling 1278. If before travelling eight *farsakhs* one becomes unsure about continuing his journey, and while he is unsure he travels some distance and later decides to continue with his journey, then, in the event that the total outward and return journey minus the distance he travelled while he was unsure is less than eight *farsakhs*, he must perform *tamām* prayers; and if it is not less than eight *farsakhs*, his prayers must be in *qaṣr* form.

Fourth condition: before travelling eight *farsakhs*, one must not intend to pass through his home town and stay there, or to stay in a place for ten or more days. Therefore, if before travelling eight *farsakhs* someone intends to pass through his home town and stay there, or to stay in a place for ten or more days, he must perform *tamām* prayers. And if he intends to pass his home town without staying there, he must as a precautionary measure perform both *qaṣr* and *tamām* prayers.

Ruling 1279. If someone does not know whether or not he will pass through his home before travelling eight *farsakhs* or if he will intend to stay in a place for ten days, he must perform *tamām* prayers.

Ruling 1280. If someone wants to pass through his home town and stay there before travelling eight *farsakhs*, or if he wants to stay at a place for ten days, and similarly, if someone is unsure about passing through his home town, or he is unsure about staying at a place for ten days, then, if he changes his mind about staying in a place for

ten days or passing through his home town, he must perform *tamām* prayers. However, if the remaining distance, even with the return journey added, is eight *farsakhs*, he must perform *qaṣr* prayers.

Fifth condition: one must not travel for an unlawful purpose. If a person travels for an unlawful purpose, such as theft, he must perform *tamām* prayers. The same applies if the journey itself is unlawful; for example, it is harmful for him in that it can result in death or the loss of a limb, or, for example, a wife who travels without the permission of her husband on a journey that is not obligatory. However, if it is like a journey for obligatory hajj, he must perform *qaṣr* prayers.

Ruling 1281. A journey which is not obligatory and which is a source of annoyance for one's father or mother on the account of their compassion for their child, is unlawful, and on such a journey he must perform *tamām* prayers and fast [i.e. if he is legally obliged to fast on that day, he is not exempt from fasting as he normally would be].

Ruling 1282. With regard to someone whose journey is not unlawful and who is not travelling for any unlawful purpose, if he commits a sin on his journey – for example, he backbites or drinks alcohol – he must perform *qaṣr* prayers.

Ruling 1283. If a person travels in order to avoid an obligatory act – irrespective of whether or not he has some other purpose for travelling as well – he must perform *tamām* prayers. Therefore, if a person owes some money and can repay his debt and the creditor demands it from him, in the event that he cannot pay his debt while he is travelling and he travels in order to escape the repayment of his debt, he must perform *tamām* prayers. However, if the purpose of his travel is something else, then even if he avoids an obligatory act on his journey, he must perform *qaṣr* prayers.

Ruling 1284. If a person travels on a usurped animal or in a usurped vehicle and he has travelled in order to escape from its owner, or, if he travels on usurped land, he must perform *tamām* prayers.

Ruling 1285. With regard to someone who travels in compliance with the orders of an oppressor, if he is not compelled to do so and

his journey is in order to help the oppressor in his oppression, he must perform *tamām* prayers. However, if he is compelled to, or, for example, he travels with the oppressor in order to save an oppressed person, his prayers must be performed in *qaṣr* form.

Ruling 1286. If a person travels for recreational and leisure purposes, his journey is not unlawful and he must perform *qaṣr* prayers.

Ruling 1287. If a person goes hunting for amusement and fun, although it is not unlawful, his prayer during the outward journey must be performed in *tamām* form and during the return journey in *qaṣr* form, provided that it is of the prescribed distance. If the outward journey is not for hunting and the person hunts for his livelihood, he must perform his prayers in *qaṣr* form. The same applies if he travels for the purposes of business and for increasing his wealth, although in this case, the recommended precaution is that he should perform both *qaṣr* and *tamām* prayers.

Ruling 1288. With regard to someone who has travelled for a sinful purpose, if the return journey on its own is eight *farsakhs*, he must perform *qaṣr* prayers during the return journey. And the recommended precaution is that if he has not repented, he should perform both *qaṣr* and *tamām* prayers.

Ruling 1289. With regard to someone whose journey is a sinful one, if on the way he abandons his intention to sin – irrespective of whether or not the remaining distance on its own, or the sum of both the outward and return journey from that point is eight *farsakhs* – he must perform *qaṣr* prayers.

Ruling 1290. With regard to someone who has not travelled for a sinful purpose, if on the way he makes the intention of travelling the rest of the journey for a sinful purpose, he must perform *tamām* prayers. However, the prayers he performed in *qaṣr* form [before he changed his intention] are valid.

Sixth condition: one must not be a nomad, such as the desert dwellers who roam the deserts and stay wherever they find water and food for themselves and for their animals, and after a period of time move

to another place. Such people must perform *tamām* prayers on these journeys.

Ruling 1291. If a nomad travels in search of a place to stay and pasture for his animals, for example, in the event that he travels with his possessions and equipment such that it can be said he has his house with him, he must perform *tamām* prayers. Otherwise, in the event that his journey is eight *farsakhs*, he must perform *qaṣr* prayers.

Ruling 1292. If a nomad travels for *ziyārah*,⁵⁹ hajj, business, or suchlike and it cannot be said that he is travelling with his house, he must perform *qaṣr* prayers; and if it can be said, then he must perform *tamām* prayers.

Seventh condition: one must not be a frequent traveller (*kathīr al-sa-far*). As for someone whose work is dependent on travelling – such as a driver and the captain of a ship, or a delivery person or shepherd – or someone who travels frequently even though his work does not require him to do so – such as someone who travels three days in a week even if it is for recreational and touristic purposes – such a person must perform *tamām* prayers.

Ruling 1293. With regard to someone whose profession is travelling, if he travels for another purpose, such as *ziyārah* or hajj, he must perform *qaṣr* prayers unless he is commonly known to be a ‘frequent traveller’, such as someone who always travels three days in a week. However, if, for example, a driver of a car is hired for a *ziyārah* trip and on that trip he also performs *ziyārah*, he must perform *tamām* prayers.

Ruling 1294. A tour leader (someone who travels in order to take pilgrims to Mecca), in the event that his profession is travelling, must perform *tamām* prayers. However, if his profession is not travelling and he only travels in the hajj season in order to take pilgrims, then in the event his trip is a short one – for example, two or three weeks – his prayers must be performed in *qaṣr* form; and if it is a long trip – such as three months – his prayers must be performed in

⁵⁹ *Ziyārah* is a visitation to the place of burial of a holy personality or to a holy place.

tamām form. If he doubts whether or not he can be called a frequent traveller, then as an obligatory precaution he must perform both *qaṣr* and *tamām* prayers.

Ruling 1295. In order for someone to be called a ‘driver’ and suchlike, it is a requirement that he intends to continue driving and his resting time must not be longer than usual for drivers. Therefore, if someone, for example, travels one day a week he cannot be called a driver. Furthermore, someone can be called a ‘frequent traveller’ if he travels a minimum of ten times a month and travels on ten days a month or spends ten days a month travelling, albeit on two or three separate journeys, on condition that he intends to continue doing this for six months in one year or three months every few years. In such a case, his prayers on all his journeys, even on his non-repetitive ones, must be performed in *tamām* form. And in the first two weeks he must, as an obligatory precaution, perform both *qaṣr* and *tamām* prayers. And if the numbers or days of his journey in a month comes to eight or nine, then based on obligatory precaution, on all the journeys he must perform both *qaṣr* and *tamām* prayers; and if the number of days is less than this, he must perform his prayers in *qaṣr* form.

Ruling 1296. Someone whose profession is travelling in a part of the year – such as a driver who is hired for his services only in either summer or winter – must perform *tamām* prayers on that journey. And the recommended precaution is that he should perform both *qaṣr* and *tamām* prayers.

Ruling 1297. A driver or a salesperson who comes and goes in distances of two or three *farsakhs* from a town must perform *qaṣr* prayers in the event that he happens to travel eight *farsakhs*.

Ruling 1298. Someone whose profession is travelling – whether he stays in his home town for ten or more days and had an intention from the outset to stay for ten days, or he stays without any such intention – must perform *tamām* prayers on the first journey he goes on after ten days. The same applies if he stays in a place that is not his home town for ten days, whether he had an intention to do so or not. However, with regard to a herdsman or a driver who is hired, the recommended precaution is that on the first journey he goes on after

ten days, he should perform both *qaṣr* and *tamām* prayers.

Ruling 1299. With regard to someone whose profession is travelling, it is not a condition that he travels three times in order for his prayers to be in *tamām* form; rather, whenever the title 'driver' and suchlike can be applied to him, even if it is on his first journey, his prayers must be performed in *tamām* form.

Ruling 1300. With regard to someone whose profession is travelling, such as a herdsman or driver, in case travelling causes him excessive difficulty and exhaustion that is more than usual, he must perform *qaṣr* prayers.

Ruling 1301. Someone who travels around different cities and has not adopted a home town for himself must perform *tamām* prayers.

Ruling 1302. With regard to someone whose profession is not travelling, if, for example, he has to continuously travel to a town or village in order to pick up a commodity that he transports, he must perform *qaṣr* prayers unless he is a frequent traveller, the criteria for which was explained in Ruling 1295.

Ruling 1303. With regard to someone who has disregarded a place as his home town and wants to adopt another home town, if he cannot be given one of the titles that requires one to perform *tamām* prayers – such as 'frequent traveller' or 'nomad' – he must perform *qaṣr* prayers on his travels.

Eighth condition: one must reach the permitted limit (*ḥadd al-tarakḥuṣ*) if he starts his journey from his home town. However, if he travels from a place that is not his home town, then the permitted limit does not apply to him and he must perform his prayers in *qaṣr* form from the moment he sets out on his journey from his place of residence.

Ruling 1304. The permitted limit is the place where the people of a town – including those who live on its outskirts and are considered to be residents of the town – cannot see a traveller; and its sign is that he cannot see the people of the town.

Ruling 1305. A traveller who is returning to his home town must perform *qaṣr* prayers until the time he enters his home town. Similarly, a traveller who wants to stay somewhere for ten days must perform *qaṣr* prayers until the time he reaches that place.

Ruling 1306. If a town's location happens to be elevated such that its residents can be seen from around it, or, if it happens to be in a depression such that if one went a short distance away from it he would not see its residents, then, if a resident of that town travels and reaches a distance such that had the town's location been at ground level he would not be able to see its residents, he must perform *qaṣr* prayers. Similarly, if the elevation or depression of the road he is travelling on is more than what is normal, he must take into account a normal type of road [in determining whether he must perform *qaṣr* or *tamām* prayers].

Ruling 1307. If before reaching the permitted limit a person who is sitting on a ship or train starts performing prayers with the intention of *tamām* prayers, but before performing *rukū'* of the third *rak'ah* he reaches the permitted limit, he must perform prayers in *qaṣr* form.

Ruling 1308. If in the situation mentioned above one reaches the permitted limit after performing *rukū'* of the third *rak'ah*, he must perform another prayer in *qaṣr* form and it is not necessary for him to complete the first prayer.

Ruling 1309. If a person is certain that he has reached the permitted limit and performs his prayer in *qaṣr* form, and later he realises that when he performed his prayer he had not actually reached the permitted limit, he must perform the prayer again; and if when he performs the prayer again he has still not reached the permitted limit, he must perform the prayer in *tamām* form, but if he has passed it, he must perform it in *qaṣr* form; and if the time for the prayer has expired, he must perform it in accordance to what his duty was when the prescribed time for it expired.

Ruling 1310. If a person's eyesight is not normal, he must perform *qaṣr* prayers from the point where people of average eyesight would not be able to see the residents of the town.

Ruling 1311. If while travelling one doubts whether or not he has reached the permitted limit, he must perform *tamām* prayers.

Ruling 1312. If a traveller who passes his home town on his journey stays there, he must perform *tamām* prayers; otherwise [i.e. if he does not stay there], the obligatory precaution is that he must perform both *qaṣr* and *tamām* prayers.

Ruling 1313. A traveller who reaches his home town on his journey and stays there must perform *tamām* prayers while he is there. However, if he wants to travel eight *farsakhs* from there, or, for example, he wants to travel four *farsakhs* going and four *farsakhs* returning, then when he reaches the permitted limit he must perform *qaṣr* prayers.

Ruling 1314. A place that one adopts as his permanent residence is his home town, irrespective of whether or not he was born there, or it was the home of his parents, or he selected it himself for his residence.

Ruling 1315. If a person intends to stay for a short time in a location that is not his home town and to later move to another place, that location is not considered to be his home town.

Ruling 1316. A place that one has adopted as his residence is ruled as his home town – even if he does not intend to always live there – provided that he cannot be commonly regarded as being a traveller there, such that were he to choose to temporarily stay somewhere else for ten days or more, people would still say the first place is his place of residence.

Ruling 1317. With regard to a person who resides in two places – for example, he resides six months in one town and six months in another – both places are his home towns. Furthermore, if he has chosen to reside in more than two places, all of them are considered to be his home towns.

Ruling 1318. Some jurists have said: with regard to a person who owns a residential home somewhere, that place is ruled as his home town if he stays there for six continuous months with the intention

of residing there and as long as that house belongs to him. Therefore, whenever he travels there he must perform *tamām* prayers. However, this rule is not established.

Ruling 1319. If a person reaches a place that was once his home town but which he now disregards [as being his home town], he must not perform *tamām* prayers there even if he has not adopted another place as his home town.

Ruling 1320. A traveller who has the intention of staying somewhere for ten consecutive days or knows that he has no choice but to stay somewhere for ten days, must perform *tamām* prayers in that place.

Ruling 1321. It is not necessary for a traveller who wants to stay somewhere for ten days to have the intention to stay there on the first night and on the eleventh night. Rather, [it is sufficient if] he makes the intention that he will stay there from sunrise on the first day until sunset of the tenth day, [and if he does so] he must perform *tamām* prayers. The same applies if, for example, he makes the intention to stay there from noon on the first day until noon on the eleventh day.

Ruling 1322. A traveller who wants to stay somewhere for ten days must perform *tamām* prayers if he wants to stay in one place for ten days. Therefore, if he intends to stay, for example, ten days in Najaf and Kufa, or in Tehran and Karaj, he must perform *qaṣr* prayers.

Ruling 1323. With regard to a traveller who wants to stay somewhere for ten days, if from the outset he intends during the ten days to travel to a surrounding place – which is commonly regarded as being a different place – and if the distance to it is less than four *farsakhs*, then, if the period of his outward and return journeys is such that it does not conflict with him staying for ten days, he must perform *tamām* prayers. However, if it does conflict, then he must perform *qaṣr* prayers. For example, if he intends from the outset to travel for one complete day or for one complete night, then this conflicts with his staying and he must perform *qaṣr* prayers. However, in the event that his intention is, for example, to travel for half a day and return, even if the return is after sunset, then he must perform his prayers in *tamām* form unless this type of travelling happens so often that

he is commonly regarded as residing in two or more places.

Ruling 1324. A traveller who has not decided to stay somewhere for ten days but whose intention is, for example, that if his friend comes or if he finds a good house then he will stay there for ten days, must perform *qaṣr* prayers.

Ruling 1325. With regard to a person who has decided to stay somewhere for ten days, if he deems it probable that some obstacle to his staying there will arise, and if rational people would consider this probability to be significant, he must perform *qaṣr* prayers.

Ruling 1326. If a traveller knows, for example, that ten days or more remain before the end of the month, and he intends to stay somewhere until the end of the month, he must perform *tamām* prayers. However, if he does not know how long is left until the end of the month and makes an intention to stay until the end of the month, he must perform *qaṣr* prayers even if ten days or more remain from the time he made the intention until the last day of the month.

Ruling 1327. If a traveller intends to stay somewhere for ten days, in the event that before he performs a four *rak'ah* prayer he abandons the idea of staying there, or he becomes unsure of whether to stay there or go to another place, in such a case, he must perform *qaṣr* prayers. However, if after performing a four *rak'ah* prayer he abandons the idea of staying there or becomes unsure, he must perform *tamām* prayers as long as he stays there.

Ruling 1328. If a traveller who has made the intention to stay somewhere for ten days keeps a fast and after the time for *ẓuhr* prayers he changes his mind about staying there, in the event that he has performed a four *rak'ah* prayer, the fasts he keeps there are valid and he must perform *tamām* prayers. However, if he has not performed a four *rak'ah* prayer, he must, as an obligatory precaution, complete that day's fast and also make it up; he must also perform *qaṣr* prayers and he cannot fast on the remaining days.

Ruling 1329. If a traveller who has made the intention to stay somewhere for ten days changes his mind about staying but doubts

whether he changed his mind about staying after or before he performed a four *rak'ah* prayer, he must perform *qashr* prayers.

Ruling 1330. If a traveller starts performing a prayer with the intention of performing a *qashr* prayer and during it he decides to stay in that place for ten days or more, he must complete his prayer as a four *rak'ah* prayer.

Ruling 1331. If a traveller who has made the intention to stay somewhere for ten days changes his mind during his first four *rak'ah* prayer, in the event that he has not yet started to perform the third *rak'ah*, he must complete his prayer as a two *rak'ah* prayer and perform his remaining prayers in *qashr* form. The same applies if he has started to perform the third *rak'ah* but has yet not gone into *rukū'*; he must sit down and complete the prayer in *qashr* form; however, if he has gone into *rukū'*, he can either break his prayer or complete it, and he must perform it again in *qashr* form.

Ruling 1332. If a traveller who has made the intention to stay somewhere for ten days stays there for more than ten days, he must perform *tamām* prayers as long as he does not travel, and it is not necessary for him to make another intention to stay for ten days.

Ruling 1333. A traveller who has made the intention to stay somewhere for ten days must keep obligatory fasts, and he can also keep recommended fasts and perform the *nāfilah* of *zuhr*, *'aṣr*, and *'ishā'*.

Ruling 1334. With regard to a traveller who has made the intention to stay somewhere for ten days, if after performing a four *rak'ah* prayer within its prescribed time or after staying there for ten days – even if he has not performed one prayer in *tamām* form – he wants to go to a place that is less than four *farsakhs* away and then come back and stay in the first place again for ten days or less, in such a case, he must perform *tamām* prayers from the time he goes until the time he comes back and after coming back as well. However, if his returning to the place of his residence is only because it is on the way, and if the distance of his journey is eight *farsakhs*, then it is necessary for him to perform *qashr* prayers while going, returning, and at his place of residence.

Ruling 1335. With regard to a traveller who has made the intention to stay somewhere for ten days, if after performing a four *rak'ah* prayer within its prescribed time he wants to go somewhere else that is less than eight *farsakhs* away and stay there for ten days, he must perform *tamām* prayers while going and also at the place where he intends to stay for ten days. However, if he wants to go to a place that is eight *farsakhs* away or further, he must perform *qaṣr* prayers while going. And in the event that he does not want to stay there for ten days, he must perform *qaṣr* prayers while he is there.

Ruling 1336. With regard to a traveller who has made the intention to stay somewhere for ten days, if after performing a four *rak'ah* prayer within its prescribed time he wants to go somewhere else that is less than eight *farsakhs* away, then, in the event that he is unsure whether or not he will return to his first destination, or he is totally unmindful about returning there, or he wants to return but is unsure whether or not he will stay there for ten days, or he is unmindful about staying there for ten days or travelling from there, in these cases, he must perform *tamām* prayers from the time he goes until the time he returns and after he returns as well.

Ruling 1337. If someone makes an intention to stay somewhere for ten days because he thinks his friends want to stay there for ten days, and after performing a four *rak'ah* prayer within its prescribed time he realises they did not have such an intention, then even if he changes his mind to stay there he must perform *tamām* prayers as long as he stays there.

Ruling 1338. If a traveller happens to stay somewhere for thirty days – for example, throughout those thirty days he was unsure about going or staying – he must perform *tamām* prayers after thirty days have passed even if he stays there for a short time [after the thirty days].

Ruling 1339. If a traveller wants to stay somewhere for nine days or less, and if after staying there for nine days or less he wants to stay for another nine days or less, and so on until thirty days, he must perform *tamām* prayers from the thirty-first day.

Ruling 1340. After thirty days, a traveller must perform *tamām*

prayers if he has stayed in one place for those thirty days. Therefore, if he stays part of that period in one place and part of it in another, he must perform *qaṣr* prayers even after thirty days.

MISCELLANEOUS RULINGS ON THE PRAYER OF A TRAVELLER

Ruling 1341. A traveller can perform *tamām* prayers in the entire city of Mecca, Medina, and Kufa, and in the shrine (*ḥaram*) of His Eminence al-Sayyid al-Shuhadā' [Imam al-Ḥusayn] ('A) up to a distance of approximately 11.5 metres from the sacred grave [i.e. the area known as the '*ḥā'ir*'].

Ruling 1342. With regard to someone who knows he is a traveller and must perform *qaṣr* prayers, if he intentionally performs *tamām* prayers in a place other than the four places mentioned above, his prayers are invalid. The same applies if he forgets that the prayers of a traveller are *qaṣr* and performs them in *tamām* form; however, if he remembers this after the time [for the prayer has expired], it is not necessary for him to make it up.

Ruling 1343. With regard to someone who knows he is a traveller and must perform *qaṣr* prayers, if he inadvertently performs *tamām* prayers, in the event that he becomes aware of this within the prescribed time for the prayer, he must perform the prayer again. However, if he becomes aware after the time has expired, then based on obligatory precaution, he must make it up.

Ruling 1344. If a traveller who does not know that he must perform *qaṣr* prayers performs *tamām* prayers, his prayers are valid.

Ruling 1345. A traveller who knows that he must perform *qaṣr* prayers but does not know some of its details – for example, he does not know that *qaṣr* prayers must be performed on an eight *farsakh* journey – then, in the event that he performs *tamām* prayers and realises this within the prescribed time for the prayer, he must, based on obligatory precaution, perform it again; and if he does not perform

it again, he must make it up. However, if he realises after the time has expired, then there is no obligation to make it up.

Ruling 1346. If a traveller who knows that he must perform *qaṣr* prayers performs *tamām* prayers supposing that his journey is less than eight *farsakhs*, then whenever he realises his journey was eight *farsakhs*, he must perform the prayers he performed in *tamām* form again in *qaṣr* form; and if he realises after the time for prayers has expired, it is not necessary to make it up.

Ruling 1347. If a person forgets that he is a traveller and performs *tamām* prayers, in the event that he remembers this within the time for the prayer, he must perform the prayer in *qaṣr* form; and if he remembers this after the time for the prayer, then making it up is not obligatory on him.

Ruling 1348. If someone who must perform *tamām* prayers performs them in *qaṣr* form, his prayers are invalid in all circumstances. And based on obligatory precaution, this rule also applies to a traveller who has an intention of staying somewhere for ten days and performs *qaṣr* prayers there on account of not knowing the ruling.

Ruling 1349. If a person starts performing a four *rak'ah* prayer and during the prayer he remembers that he is a traveller, or he becomes aware that his journey is of eight *farsakhs*, in the event that he has not gone into *rukū'* of the third *rak'ah*, he must complete the prayer as a two *rak'ah* prayer. However, if he has completed the third *rak'ah*, his prayer is invalid; and if he has gone into *rukū'* of the third *rak'ah*, then based on obligatory precaution, his prayer is also invalid. And in case there is enough time to perform even one *rak'ah*, he must perform the prayer again in *qaṣr* form; and if there is no time, he must make it up in *qaṣr* form.

Ruling 1350. If a traveller does not know some of the details of the prayer of a traveller – for example, he does not know that if he travels four *farsakhs* on his outward journey and four *farsakhs* on his return journey he must perform *qaṣr* prayers – then, in the event that he starts performing a prayer with the intention of performing a four *rak'ah* prayer and becomes aware of the ruling before going

into *rukūʿ* of the third *rakʿah*, he must complete the prayer as a two *rakʿah* prayer. However, if he becomes aware of this in *rukūʿ*, then based on obligatory precaution, his prayer is invalid. And in case there is enough time for him to perform even one *rakʿah*, he must perform *qaṣr* prayers.

Ruling 1351. If a traveller who must perform *tamām* prayers on account of not knowing the ruling starts performing prayers with the intention of performing a two *rakʿah* prayer, and he becomes aware of the ruling during prayers, he must complete the prayer as a four *rakʿah* prayer. And the recommended precaution is that after completing the prayer, he should perform that prayer again as a four *rakʿah* prayer.

Ruling 1352. If a traveller who has not performed prayers arrives at his home town before the time for the prayer has expired, or he arrives at a place where he wants to stay for ten days, he must perform *tamām* prayers. And if someone who is not a traveller does not perform prayers at the start of their prescribed time and then travels, he must perform *qaṣr* prayers during his journey.

Ruling 1353. With regard to a traveller who must perform *qaṣr* prayers, if his *ṣuḥr*, *ʿaṣr*, or *ʿishāʾ* prayers become *qaḍāʾ*, he must perform them as two *rakʿah qaḍāʾ* prayers even if he wants to make them up when he is not travelling. And if these prayers become *qaḍāʾ* for someone who is not a traveller, he must perform them as four *rakʿah qaḍāʾ* prayers even if he wants to make them up when he is travelling.

Ruling 1354. After every *qaṣr* prayer, it is recommended a traveller says thirty times: *ʿsubḥānal lāhi wal ḥamdu lillāhi wa lā ilāha illal lāhu wal lāhu akbarʾ*.⁶⁰ Although it is recommended to recite this *dhikr* after every obligatory prayer, in this case [i.e. for a traveller after every *qaṣr* prayer], however, it is recommended even more; in fact, in this case, it is better to say it sixty times.

⁶⁰ For the translation of this phrase, see the section titled '5. Translation of *al-tas-bīḥāt al-arbaʿah*' after Ruling 1107.

LAPSED (QAḌĀ') PRAYERS

Ruling 1355. With regard to someone who has not performed his daily prayers within their prescribed time, he must make them up even if he slept throughout the prescribed time or did not perform them on account of being intoxicated. The same applies to any other obligatory prayer that was not performed within its prescribed time, even, based on obligatory precaution, those prayers that had become obligatory at a specific time on account of a vow. However, the prayers of Eid al-Fiṭr and Eid al-Aḏḥā cannot be made up, and the prayers that a woman does not perform while experiencing *ḥayḍ* or *nifās* are not required to be made up, irrespective of whether they are the daily prayers or other prayers. The rule concerning *ṣalāt al-āyāt* will be mentioned later.

Ruling 1356. If after the time for the prayers has expired a person realises that the prayers he performed were invalid, he must make them up.

Ruling 1357. Someone who has outstanding *qaḍā'* prayers must not be negligent about performing them; however, it is not obligatory for him to perform them immediately.

Ruling 1358. Someone who has outstanding *qaḍā'* prayers can perform recommended prayers.

Ruling 1359. If a person deems it probable that he has *qaḍā'* prayers to perform, or that the prayers he performed were not valid, it is recommended that as a precautionary measure, he should make them up.

Ruling 1360. It is not necessary to make up daily prayers in the order they became *qaḍā'*, except for the prayers that must be performed in a particular order when they are performed within their prescribed time, such as *ẓuhr* and '*aṣr* prayers, or *maghrib* and '*ishā*' prayers, of the same day.

Ruling 1361. If a person wants to make up prayers that are not the daily prayers – such as *ṣalāt al-āyāt* – or if, for example, he wants to

make up one daily prayer and some other prayers, it is not necessary for him to perform them in the order they became *qaḍā'*.

Ruling 1362. With regard to someone who knows he has not performed a four *rak'ah* prayer but he does not know whether it was *zuhr* or '*ishā'* prayers, if he performs a four *rak'ah* prayer with the intention of making up the prayer that he did not perform, it is sufficient; moreover, he has the option of reciting Surat al-Ḥamd and the other surah aloud or in a whisper.

Ruling 1363. With regard to someone who has to make up, for example, a number of *ṣubḥ* or *zuhr* prayers, but he does not know how many or he has forgotten how many – for example, he does not know if it is three, four, or five prayers that he has to make up – then, in the event that he performs the lower number, it is sufficient. However, it is better that he performs prayers up to the extent that he can be certain of having performed all of them. For example, if he has forgotten how many *ṣubḥ* prayers have become *qaḍā'* but he is certain that it is not more than ten, then as a recommended precaution he should perform ten *ṣubḥ* prayers.

Ruling 1364. With regard to someone who has only one *qaḍā'* prayer from the past, it is better that if the prime time of that day's prayer will not expire, he should first perform the *qaḍā'* prayer and then start performing his daily prayer. Similarly, if he does not have any *qaḍā'* prayers from the past but on that day one or more of his prayers became *qaḍā'*, then if the prime time of his prayer will not expire, it is better that he performs that day's *qaḍā'* prayers before he performs the *adā'* prayers.

Ruling 1365. If during prayers one remembers that one or more prayers of that day have become *qaḍā'*, or that he has only one *qaḍā'* prayer from the past, in the event that there is ample time and it is possible for him to change his intention to *qaḍā'* prayers, it is better that he changes his intention to *qaḍā'* prayers if the prime time for the daily prayer he was performing does not expire. For example, if in *zuhr* prayers before the *rukū'* of the third *rak'ah* he remembers that the *ṣubḥ* prayer of that day had become *qaḍā'*, then in case the prime time remaining for him to perform *zuhr* prayers is not tight, he

should change his intention to *ṣubḥ* prayers and complete his prayer as a two *rak'ah* prayer and then perform *ẓuhr* prayers. However, if the prime time remaining for *ẓuhr* is tight or he cannot change his intention to *qadā'* prayers – for example, he remembers in the *rukū'* of the third *rak'ah* of *ẓuhr* prayers that he has not performed *ṣubḥ* prayers – then, if he were to change his intention to *ṣubḥ* prayers, it would mean that he will have performed an additional *rukū'*, which is a *ruk'n*, and therefore, in such a case he must not change his intention to the *qadā'* of *ṣubḥ* prayers.

Ruling 1366. If a person has *qadā'* prayers from the past and one or more prayers of that day have also become *qadā'*, in the event that he does not have time to make up all of them or he does not want to perform all of them on that day, it is recommended that he makes up that day's *qadā'* prayer before he performs the *adā'* prayers.

Ruling 1367. As long as one is alive, another person cannot make up prayers on his behalf, even if he is unable to perform his *qadā'* prayers himself.

Ruling 1368. *Qadā'* prayers can be performed in congregation, irrespective of whether the prayer of the imam of the congregation is a *qadā'* or *adā'* prayer; and it is not necessary that both the follower and the imam perform the same prayer. For example, there is no problem if a follower performs *qadā'* *ṣubḥ* prayers with the *ẓuhr* or *ʿaṣr* prayers of the imam.

Ruling 1369. It is recommended that a *mumayyiz* child – i.e. a child who is able to discern between right and wrong – is habituated into performing prayers and other acts of worship; in fact, it is recommended that the child be encouraged to perform *qadā'* prayers as well.

LAPSED (QADĀ') PRAYERS OF A FATHER THAT ARE OBLIGATORY (WĀJIB) ON THE ELDEST SON

Ruling 1370. If one's father has not performed his prayers and he could have made them up, in the event that he did not fail to perform them

due to outright disobedience, then based on obligatory precaution, after the father's death his eldest son must either perform them himself or hire someone to perform them. The *qaḍā'* prayers of one's mother are not obligatory on him to perform, although it is better that he does.

Ruling 1371. If the eldest son doubts whether or not his father had any *qaḍā'* prayers, it is not obligatory on him to perform them.

Ruling 1372. If the eldest son knows that his father had *qaḍā'* prayers but doubts whether or not he performed them, then based on obligatory precaution, it is obligatory on him to perform them.

Ruling 1373. If it is not known who the eldest son is, it is not obligatory on any of the sons to perform their father's *qaḍā'* prayers. However, the recommended precaution is that they should divide the *qaḍā'* prayers between themselves or draw lots (*qur'ah*) for performing them.

Ruling 1374. If a dying person makes a will that someone must be hired to perform his *qaḍā'* prayers, and if his will is valid, it is not obligatory on the eldest son to perform them.

Ruling 1375. If the eldest son wishes to perform the *qaḍā'* prayers of his mother, he must act according to his own duty with regard to reciting Surat al-Ḥamd and the other surah aloud or in a whisper. Therefore, he must perform his mother's *qaḍā'* *ṣubḥ*, *maghrib*, and *'ishā'* prayers aloud.

Ruling 1376. With regard to someone who has his own *qaḍā'* prayers to perform, if he wants to perform the *qaḍā'* prayers of his father or mother as well, he can perform any of them first.

Ruling 1377. If at the time of his father's death the eldest son was not of the age of legal responsibility (*bāligh*) or he was insane, then when he becomes *bāligh* and/or sane, it is not obligatory on him to perform his father's *qaḍā'* prayers.

Ruling 1378. If the eldest son dies before performing the *qaḍā'* prayers of his father, it is not obligatory on the second son to perform them.

CONGREGATIONAL PRAYERS (ṢALĀT AL-JAMĀ'AH)

Ruling 1379. It is recommended to perform the daily prayers in congregation, and it is recommended more to perform *ṣubḥ*, *maghrib*, and *‘ishā* prayers in congregation, especially for the neighbours of a mosque and for those who can hear the *adhān* of a mosque. Similarly, it is recommended for the other obligatory prayers to be performed in congregation; however, the legality (*mashrū‘iyyah*) of performing in congregation the prayer for *ṭawāf* and *ṣalāt al-āyāt* – except for lunar and solar eclipses – is not established.

Ruling 1380. It has been reported in authentic traditions that a prayer performed in congregation is better than performing it twenty-five times on one's own.

Ruling 1381. Not attending congregational prayers due to indifference about it is not permitted. And it is not befitting for one to not attend congregational prayers without a valid excuse.

Ruling 1382. It is recommended that one delays his prayer in order to perform it in congregation. A short congregational prayer is better than a long prayer performed on one's own. Furthermore, a congregational prayer is better than a prayer performed on one's own at the start of its prescribed time; however, it is not known whether performing congregational prayer after the prayer's prime time is better than a prayer performed on one's own within its prime time.

Ruling 1383. When congregational prayers are being performed, it is recommended that a person who has performed his prayers on his own performs them again with the congregation. And if he later realises that his first prayer was invalid, his second prayer will suffice.

Ruling 1384. If an imam or follower has performed a prayer in congregation and he wants to perform it again in congregation, then although this act is not established as being recommended, there is no problem in him doing so with the intention of *rajā’*.

Ruling 1385. If a person is so obsessively doubtful (*muwaswis*) in prayers that it invalidates his prayers, and if he becomes free of doubt

only when he performs his prayers in congregation, he must perform his prayers in congregation.

Ruling 1386. If a father or a mother commands their child to perform prayers in congregation, the recommended precaution is that he should perform them in congregation. In fact, if his father or mother's command is due to their compassion for him, and if his opposition to it annoys them, it is unlawful for him to oppose.

Ruling 1387. Based on obligatory precaution, recommended prayers cannot be performed in congregation in any situation; however, *ṣalāt al-istisqā'*, which is performed to invoke rain, can be performed in congregation. The same applies to the prayers that were obligatory and have become recommended due to some reason, such as the Eid al-Fiṭr and Eid al-Aḍḥā prayers that were obligatory when the Imam ('A) was present and are recommended during his occultation.

Ruling 1388. When the imam of a congregational prayer is leading a daily prayer, one can follow him for performing any of the daily prayers.

Ruling 1389. One can follow the imam of a congregational prayer who is performing the *qaḍā'* of his own or someone else's daily prayer about which he is certain. However, if he is performing such a *qaḍā'* prayer as a precautionary measure [as opposed to being certain about it being a *qaḍā'* prayer], then it is not permitted to follow him unless the follower is also performing his prayer as a precautionary measure and the reason for his precaution is the same as that of the imam's;⁶¹ and if the follower has another reason for his precaution as well, he can still follow.

Ruling 1390. If a person does not know whether the prayer of the imam is an obligatory daily prayer or a recommended prayer, he cannot follow him.

Ruling 1391. For a congregational prayer to be valid, it is a condition

⁶¹ For example, the imam and the follower have deemed it probable that the place where they both performed a previous prayer was usurped, and so they are now performing that prayer again as a precautionary measure.

that there is no obstruction between the imam and the follower, nor between the follower and another follower who is the link between him and the imam. The meaning of 'obstruction' here is something that separates them, irrespective of whether it is an obstruction to seeing, such as a curtain, wall, or similar thing, or it is not an obstruction to seeing, such as glass. Therefore, if during the entire prayer or a part of it there is such an obstruction between the imam and the follower, or the follower and another follower who is the link, the congregation becomes invalid. Women are exempted from this rule, as will be mentioned later.

Ruling 1392. If on account of the first row being long those who are standing at either end of the row do not see the imam, they can still follow. Furthermore, if on account of any of the other rows being long those standing on either side of it do not see the row in front of them, they can also follow.

Ruling 1393. If the rows of a congregation extend to the door of the mosque, the prayer of someone standing in front of the door behind the row is valid. Also, the prayer of those who follow behind him is valid. In fact, the prayer of those who are standing on either side and are linked to the congregation by means of another follower is also valid.

Ruling 1394. If a person who is standing behind a pillar is not linked to the imam by another follower from either the left side or the right, he cannot follow.

Ruling 1395. The place where the imam stands must not be higher than the place of the follower; however, there is no problem if the difference is insignificant. Similarly, if the land slopes and the imam stands at the end that is higher, there is no problem as long as the slope is not big.

Ruling 1396. There is no problem if the place of the follower is higher than the place of imam; however, if the difference is such that it cannot be said they are joined, then the congregation is not valid.

Ruling 1397. If the link person in the congregation is a *mumayyiz*

child – i.e. a child who is able to discern between right and wrong – then, in the event that the people in the congregation do not know his prayer is invalid, they can join with him. The same applies if the link person is not a Twelver (Ithnā ‘Asharī) Shia, in the event that his prayer is valid according to his religious denomination (*madhhab*).

Ruling 1398. If after the imam says *takbīrat al-ihrām* those standing in the front row are ready to perform the prayer and are close to saying their *takbīrat al-ihrām*, then someone standing in the next row can say his *takbīrat al-ihrām*. However, the recommended precaution is that he should wait until those in the front row have completed their *takbīrat al-ihrām*.

Ruling 1399. If a person knows that one of the front rows of a congregation is invalid, he cannot follow in the other rows. However, if he does not know whether or not their prayers are invalid, he can follow.

Ruling 1400. If a person knows that the imam’s prayer is invalid – for example, he knows that the imam has not performed *wuḍū’* even though the imam himself may not be aware of this – he cannot follow.

Ruling 1401. If after prayers a follower realises that the imam was not a just person, or that he was a disbeliever, or for some reason his prayer was invalid – for example, he performed it without *wuḍū’* – his prayer is valid.

Ruling 1402. If during prayers one doubts whether or not he joined the imam, in the event that he becomes confident by means of some indications that he joined, he must complete the prayer in congregation; otherwise, he must complete the prayer with the intention of performing it on his own.

Ruling 1403. If during prayers a follower makes the intention to perform the prayer on his own without any legitimate excuse, the validity of his congregational prayer is problematic [i.e. based on obligatory precaution, his congregational prayer is not valid]. However, his prayer [performed on his own, as opposed to his congregational prayer] is valid unless he does not act in accordance with the duty of one who performs prayers on his own, in which case

based on obligatory precaution he must perform the prayer again. However, if he has added or omitted something, which if he had a legitimate excuse for doing would not invalidate the prayer, then it is not necessary for him to perform the prayer again. For example, if from the outset of the prayer he did not intend to perform it on his own, and he did not recite *qirā'ah*, and during *rukū'* he decided to perform the prayer on his own, then he can complete the prayer with the intention of performing the prayer on his own and it is not necessary for him to perform it again. The same applies if he performed an additional *sajdah* with the intention of following the congregation.

Ruling 1404. If after the imam has recited Surat al-Ḥamd and the other surah a follower makes the intention to perform the prayer on his own due to a legitimate excuse, it is not necessary that he recites Surat al-Ḥamd and the other surah. However, if he does not have a legitimate excuse or he makes the intention of performing the prayer on his own before the completion of Surat al-Ḥamd and the other surah, then based on obligatory precaution, it is necessary that he recites all of Surat al-Ḥamd and the other surah.

Ruling 1405. If during congregational prayers one makes the intention of performing the prayer on his own, he cannot change it back to congregational prayers. The same applies, based on obligatory precaution, if he becomes unsure about changing his intention to performing the prayer on his own and later decides to complete his prayer in congregation.

Ruling 1406. If during congregational prayers a person doubts whether or not he has made an intention to perform the prayer on his own, he must assume that he has not made such an intention.

Ruling 1407. If a person joins congregational prayers when the imam is in *rukū'*, then even if the *dhikr* of the imam has finished his congregational prayer is valid and he is regarded as being in his first *rak'ah*. However, if he bows down to the extent that is required for *rukū'* but the imam is no longer in *rukū'*, he can either complete his prayer on his own or he can break his prayer in order to join the next *rak'ah*.

Ruling 1408. If a person joins congregational prayers when the imam is in *rukūʿ* and he bows down to the extent that is required for *rukūʿ* but doubts whether or not he joined when the imam was in *rukūʿ*, in the event that his doubt arises after the completion of *rukūʿ*, his congregational prayer is valid; otherwise, he can either complete his prayer on his own or he can break his prayer in order to join the next *rakʿah*.

Ruling 1409. If a person joins congregational prayers when the imam is in *rukūʿ* and before he bows down to the extent that is required for *rukūʿ* the imam raises his head from *rukūʿ*, he has [three] choices: [one,] to complete the prayer on his own; [two,] to follow the imam and proceed to *sajdah* with a general intention of attaining proximity to Allah (*qaṣd al-qurbah al-muṭlaqah*) [i.e. with the intention of attaining proximity to Allah without specifying any particulars about the *sajdah*, such as it being a *sajdah* of the prayer], and when the imam stands [for the next *rakʿah*] he says *tabkīr* again with an intention that the *tabkīr* is his *tabkīrat al-ihrām* which he has renewed as well as a general *dhikr*, and he then performs the rest of the prayer in congregation; [three,] to break his prayer in order to join the next *rakʿah*.

Ruling 1410. If a person joins a congregational prayer from the beginning or during Surat al-Ḥamd and the other surah, and if it so happens that before he goes to *rukūʿ* the imam raises his head from *rukūʿ*, his congregational prayer is valid.

Ruling 1411. If a person arrives when the imam is saying *tashahhud* at the end of the congregational prayer, in the event that he wants to earn the reward of congregational prayers, he must make the intention, say *tabkīrat al-ihrām*, and sit down; and he can say *tashahhud* with the imam with a general intention of attaining proximity to Allah [i.e. with the intention of attaining proximity to Allah without specifying any particulars about the *tashahhud*, such as it being a *tashahhud* of the prayer]. However, based on obligatory precaution he must not say the *salām*. He must then wait until the imam has said the *salām*, stand up, and without saying *tabkīr* or making the intention again, he must recite Surat al-Ḥamd and the other surah and count that *rakʿah* as his first.

Ruling 1412. A follower must not stand in front of the imam. In fact, the obligatory precaution is that if there are a number of followers, they must not stand in line with the imam; however, if the follower is the only person, there is no problem if he stands in line with the imam.

Ruling 1413. If the imam is a man and the follower a woman, there is no problem if there is a curtain or something similar between the woman and the imam, or between the woman and another follower who is a man and who is the link between the woman and the imam.

Ruling 1414. If after a congregational prayer has commenced a curtain or something similar intervenes between a follower and the imam, or between a follower and another follower who is the link between him and the imam, then the congregational prayer becomes invalid [for the follower who is separated from the congregation] and it is necessary that the follower acts according to the duty of one who performs prayers on his own.

Ruling 1415. The obligatory precaution is that between the place where a follower performs *sajdah* and the place where the imam stands there must not be a gap of more than the [largest normal]⁶² step of a person.⁶³ The same applies with regard to a follower who is linked to the imam by another follower in front of him. And the recommended precaution is that between the place where a follower stands and the place where another follower stands in front of him, there should not be a gap of more than the space needed for a person to perform *sajdah*.

Ruling 1416. If a follower is linked to the imam by a person on either his right or left side and he is not linked to the imam from the front, then based on obligatory precaution, there must not be a gap of more than a step [as defined in the previous ruling] between himself and the follower on his right or left side.

⁶² The words 'largest normal' are in keeping with the way this ruling is worded in al-Sayyid al-Sistani's other works (see *Minhāj al-Ṣāliḥīn*, vol. 1, p. 245, Ruling 795; *al-Masā'il al-Muntakhabah*, p. 171, Ruling 374; *Tawḍīḥ al-Masā'il-i Jāmi'*, vol. 1, p. 484, Ruling 1710).

⁶³ In *Tawḍīḥ al-Masā'il-i Jāmi'*, 'a large step' is defined as 'approximately one metre' (vol. 1, p. 484, Ruling 1710).

Ruling 1417. If during congregational prayers a gap of more than one step [as defined in the Ruling 1415] occurs between a follower and the imam, or between a follower and a person who is the link between him and the imam, he can continue his prayer with the intention of performing it on his own.

Ruling 1418. If the prayer of all those standing in the first row comes to an end and they do not immediately join the imam for the next prayer, the congregational prayer of those in the next row becomes invalid. In fact, even if they join immediately, the validity of the congregational prayer of those on the next row is problematic [i.e. based obligatory precaution, it is not valid].

Ruling 1419. If a person joins in the second *rak'ah*, it is not necessary that he recites Surat al-Ḥamd and the other surah; however, he must perform *qunūt* and say *tashahhud* with the imam. And the obligatory precaution is that when he says *tashahhud* he must sit [in a squatted position] such that his fingers and the balls of his feet are on the ground and his knees are off the ground, and after *tashahhud* he must stand up with the imam and recite Surat al-Ḥamd and the other surah; and if he does not have enough time to recite the other surah, he must complete Surat al-Ḥamd and perform his *rukū'* with the imam; and if he does not have enough time to recite all of Surat al-Ḥamd, he can discontinue reciting it and perform *rukū'* with the imam. However, the recommended precaution in this situation is that he should complete his prayer with the intention of performing it on his own.

Ruling 1420. If a person joins the imam when he is in the second *rak'ah* of a four *rak'ah* prayer, then in his second *rak'ah* – which is the third *rak'ah* of the imam – he must sit after the two *sajdahs*, say *tashahhud* to the extent that is obligatory, and then stand up. And in the event that he does not have enough time [in his third *rak'ah*] to say *al-tasbiḥāt al-arba'ah* three times, he must say it once and join the imam in *rukū'*.

Ruling 1421. If the imam is in the third or fourth *rak'ah* and a follower knows that if he joins and recites Surat al-Ḥamd he will not be able to join the imam in *rukū'*, then based on obligatory precaution, he

must wait until the imam goes into *rukūʿ* and then join.

Ruling 1422. If a person joins when the imam is in *qiyām* of the third or fourth *rakʿah*, he must recite Surat al-Ḥamd and the other surah; and if he does not have enough time to recite the other surah, he must complete Surat al-Ḥamd and join the imam in *rukūʿ*; and if he does not have enough time to recite all of Surat al-Ḥamd, he can discontinue reciting Surat al-Ḥamd and go into *rukūʿ* with the imam. However, the recommended precaution is that in this situation, he should make the intention of performing the prayer on his own and complete the prayer.

Ruling 1423. With regard to someone who knows that if he completes the other surah or *qunūt* he will not be able to join the imam in *rukūʿ*, in the event that he intentionally recites the other surah or performs *qunūt* and does not join the imam in *rukūʿ*, his congregational prayer becomes invalid and he must act according to the duty of one who performs prayers on his own.

Ruling 1424. With regard to someone who is confident that if he starts reciting the other surah or completes it he will be able to join the imam in *rukūʿ*, in the event that he does not prolong the other surah a lot, it is better that he starts reciting the other surah or completes it if he has started it. However, if he does prolong it a lot, such that it cannot be said he is following the imam, then he must not start it, or, if he has started it he must not complete it; otherwise, his congregational prayer becomes invalid although his prayer [performed on his own] is valid if he acted according to the duty of one who performs prayers on his own, as per the details mentioned in Ruling 1403.

Ruling 1425. With regard to someone who is certain that if he recites the other surah he will be able to join the imam in *rukūʿ* and he will be able to follow the imam, in the event that he recites the other surah but is unable to join the imam in *rukūʿ*, his congregational prayer is valid.

Ruling 1426. If the imam is standing and the follower does not know which *rakʿah* it is, he can join the congregational prayer; and based

on obligatory precaution, he must recite Surat al-Ḥamd and the other surah; however, he must recite them with the intention of *qurbah*.

Ruling 1427. If a person does not recite Surat al-Ḥamd and the other surah thinking that the imam is in the first or second *rak'ah*, and after *rukū'* he realises that it was the third or fourth *rak'ah*, his prayer is valid. However, if he realises this before *rukū'*, he must recite Surat al-Ḥamd and the other surah, and if he does not have enough time he must act according to Ruling 1422 mentioned earlier.

Ruling 1428. If a person recites Surat al-Ḥamd and the other surah thinking that the imam is in the third or fourth *rak'ah*, and before or after *rukū'* he realises that it was the first or second *rak'ah*, his prayer is valid. And if he realises this during Surat al-Ḥamd or the other surah, it is not necessary that he completes them.

Ruling 1429. If while a person is performing a recommended prayer a congregational prayer commences, in the event that he is not confident that if he completes the recommended prayer he will be able to join the congregational prayer, it is recommended that he abandons his prayer and joins the congregational prayer even if it is to join it in the first *rak'ah*.

Ruling 1430. If while performing a three *rak'ah* or four *rak'ah* prayer a congregational prayer commences, in the event that he has not gone into the *rukū'* of the third *rak'ah* and he is not confident that if he completes the prayer he will be able to join the congregational prayer, it is recommended that he completes the prayer as a two *rak'ah* prayer with the intention of a recommended prayer and joins the congregational prayer.

Ruling 1431. If the imam's prayer comes to an end and the follower is saying *tashahhud* or the first *salām* of the prayer, it is not necessary that he makes the intention of performing the prayer on his own.

Ruling 1432. With regard to someone who is one *rak'ah* behind the imam, it is better that when the imam says *tashahhud* of the last *rak'ah*, he should sit [in a squatted position] such that his fingers and the balls of his feet are on the ground and his knees are off the

ground, and he should wait until the imam has said the *salām* of the prayer and then stand up. And if at that point he wants to make an intention of performing the prayer on his own, there is no problem.

CONDITIONS OF THE IMAM OF CONGREGATIONAL PRAYERS

Ruling 1433. The imam of congregational prayers must be *bāligh*, sane (*‘āqil*), a Twelver Shia, just (*‘ādil*), of legitimate birth, and a person who performs prayers correctly. Furthermore, if the follower is a man then the imam must also be a man. The validity of following a ten year old child, although it has some basis, is problematic [i.e. based on obligatory precaution, one must not follow a ten year old child]. Being ‘just’ means he does the things that are obligatory on him and refrains from doing the things that are unlawful for him. The sign of being just is that he appears to be a good person, [and this is sufficient] as long as one does not have information that contradicts it.

Ruling 1434. With regard to an imam who was considered to be just, if a person doubts whether he is still just or not, he can follow him.

Ruling 1435. A person who performs prayers standing cannot follow someone who performs prayers sitting or lying down. And a person who performs prayers sitting cannot follow someone who performs prayers lying down.

Ruling 1436. A person who performs prayers sitting can follow someone who performs prayers sitting. However, it is problematic [i.e. based on obligatory precaution, it is not correct] for someone who performs prayers lying down to join congregational prayers, irrespective of whether the imam performs prayers standing, sitting, or lying down.

Ruling 1437. If due to some legitimate excuse an imam of a congregational prayer performs prayers with impure clothes or with *tayammum* or with *jabirah wuḍū’*, it is permitted to follow him.

Ruling 1438. If an imam of a congregational prayer suffers from an illness whereby he cannot control the discharge of urine or faeces [i.e. incontinence], it is permitted to follow him. Furthermore, a woman who is not a *mustahāḍah* is permitted to follow a woman who is a *mustahāḍah*.

Ruling 1439. It is better that one who suffers from vitiligo or leprosy does not lead congregational prayers. And based on obligatory precaution, someone who has been punished by Islamic penal law and has repented must not be followed.

RULES OF CONGREGATIONAL PRAYERS

Ruling 1440. When a follower makes the intention [for performing a congregational prayer], he must specify the imam [whom he is following]; however, it is not necessary for him to know his name. If he makes the intention that he is following the imam of the present congregational prayer, his prayer is valid.

Ruling 1441. A follower must say everything in congregational prayers except the recitation of Surat al-Ḥamd and the other surah; however, if the first or second *rak'ah* of the follower is the third or fourth *rak'ah* of the imam, then he must recite Surat al-Ḥamd and the other surah.

Ruling 1442. If in the first and second *rak'ah* of the *ṣubḥ*, *maghrib*, and *‘ishā’* prayers a follower hears Surat al-Ḥamd and the other surah, then even though he is unable to distinguish the individual words, he must not recite Surat al-Ḥamd and the other surah. However, if he cannot hear the voice of the imam, it is recommended that he recites Surat al-Ḥamd and the other surah, but he must recite them in a whisper; and in the event that he inadvertently recites them aloud, there is no problem.

Ruling 1443. If a follower hears some of the words of Surat al-Ḥamd and the other surah, he can recite the parts that he does not hear.

Ruling 1444. If a follower inadvertently recites Surat al-Ḥamd and

the other surah, or he thinks that the voice he is hearing is not the voice of the imam and recites Surat al-Ḥamd and the other surah, and he later realises that it was the voice of imam, his prayer is valid.

Ruling 1445. If a person doubts whether or not he is hearing the voice of the imam, or, if he hears a voice but does not know if it is the imam's voice or someone else's, he can recite Surat al-Ḥamd and the other surah.

Ruling 1446. Based on obligatory precaution, in the first and second *rak'ah* of *ẓuhr* and *ʿaṣr* prayers, a follower must not recite Surat al-Ḥamd and the other surah, and it is recommended that he says *dhikr* instead.

Ruling 1447. A follower must not say *takbīrat al-iḥrām* before the imam. In fact, the recommended precaution is that he should not say *takbīrat al-iḥrām* until the imam has completed saying it.

Ruling 1448. If a follower inadvertently says the *salām* of the prayer before the imam, his prayer is valid and it is not necessary that he says the *salām* again along with the imam. In fact, there is no problem even if he intentionally says the *salām* before the imam.

Ruling 1449. Apart from *takbīrat al-iḥrām*, there is no problem if a follower says other parts of the prayer before the imam. However, if he can hear those other parts or he knows when the imam will say them, the recommended precaution is that he should not say them before the imam.

Ruling 1450. Except for those things that are recited in prayers, a follower must perform all other acts of the prayer – such as the *rukū's* and *sajdahs* – either with the imam or a little after him. If he intentionally performs them before the imam or delays them after the imam to such an extent that it cannot be said he is following the imam, then his congregational prayer is invalid. However, if he acts according to the duty of one who performs the prayer on his own, his prayer is valid as per the details that were mentioned in Ruling 1403.

Ruling 1451. If a follower inadvertently raises his head from *rukū'*

before the imam, then based on obligatory precaution, in the event that the imam is in *rukūʿ*, he must go back into *rukūʿ* and raise his head with the imam; in this case, performing the additional *rukūʿ*, which is a *rukn*, does not invalidate the prayer. If he intentionally does not go back into *rukūʿ*, then based on obligatory precaution, his congregational prayer becomes invalid although his prayer [performed on his own] is valid as per the details mentioned in Ruling 1403. However, if he goes back into *rukūʿ* but before he joins the imam in *rukūʿ* the imam raises his head, then based on obligatory precaution, his prayer is invalid.

Ruling 1452. If a follower inadvertently raises his head and sees that the imam is in *sajdah*, then based on obligatory precaution, he must go back into *sajdah*. In the event that this happens in both *sajdahs*, then performing the two additional *sajdahs*, which constitute a *rukn*, does not invalidate the prayer.

Ruling 1453. If someone inadvertently raises his head from *sajdah* before the imam and goes back into *sajdah*, and then he realises that the imam had raised his head before he went into *sajdah*, his prayer is valid. However, if this happens in both *sajdahs*, then based on obligatory precaution, his prayer is invalid.

Ruling 1454. If a person mistakenly raises his head from *rukūʿ* or *sajdah* and inadvertently or thinking that he will not be able to join the imam does not go back into *rukūʿ* or *sajdah*, his congregational prayer is valid.

Ruling 1455. If a person raises his head from *sajdah* and sees that the imam is in *sajdah*, in the event that he thinks it is the imam's first *sajdah* and he goes into *sajdah* with the intention of performing it with the imam, but then he realises that actually it was the imam's second *sajdah*, in such a case, it will be counted as his second *sajdah*. And if he thinks it is the imam's second *sajdah* and he goes into *sajdah*, but then he realises that actually it was the imam's first *sajdah*, in this case, he must complete the *sajdah* with the intention of performing it with the imam and then go into *sajdah* again with the imam. In each case, it is better that he completes the prayer in congregation and performs it again.

Ruling 1456. If a person inadvertently goes into *rukūʿ* before the imam, in the event that after saying the obligatory *dhikr* of *rukūʿ* he can go back and join part of the imam's *rukūʿ*, he must say the *dhikr* and then, based on obligatory precaution, he must go back into *rukūʿ*. And the recommended precaution is that he says *dhikr* in the second *rukūʿ* as well. If he intentionally does not back into *rukūʿ*, the validity of his congregational prayer is problematic [i.e. based on obligatory precaution, it is not valid]. However, his prayer [performed on his own] is valid as per the details mentioned in Ruling 1403. And if he cannot go back to say the obligatory *dhikr* and join the *rukūʿ* of the imam, he must say the *dhikr* and then go into *sajdah* with the imam, and in this situation his congregational prayer is valid.

Ruling 1457. If a person inadvertently goes into *sajdah* before the imam, in the event that after saying the obligatory *dhikr* of *sajdah* he can go back and perform the *sajdah* with the imam, then based on obligatory precaution, he must say the *dhikr* and then go back. And the recommended precaution is that he should say the *dhikr* in the second *sajdah* which he performed in order to follow the imam. If he intentionally does not go back, the validity of his congregational prayer is problematic [i.e. based on obligatory precaution, it is not valid]. However, his [individual] prayer is valid as per the details mentioned in Ruling 1403. And if he cannot go back to say the obligatory *dhikr* and join the imam in *sajdah*, he must say the *dhikr* and then continue with the imam, and in this situation his congregational prayer is valid.

Ruling 1458. If the imam mistakenly performs *qunūt* in a *rakʿah* that does not have *qunūt*, or if he mistakenly starts saying *tashahhud* in a *rakʿah* that does not have *tashahhud*, then the follower must not perform *qunūt* or say *tashahhud*. However, he cannot go into *rukūʿ* before the imam or stand up before the imam; rather, he must wait until the *qunūt* and *tashahhud* of the imam finishes and then complete the rest of the prayer with him.

DUTIES OF THE IMAM AND THE FOLLOWER IN CONGREGATIONAL PRAYERS

Ruling 1459. If the follower is a man, it is recommended that he stands at the right-hand side of the imam. If the follower is a woman, it is recommended that she also stands on the right-hand side of the imam, but she must stand behind him at least to the extent that the place of her *sajdah* is in line with the place of his knees when he goes into *sajdah*. If the imam is a man and the follower is a woman, or, if the followers are a man and some women, it is recommended that the man stands on the right-hand side of the imam and the woman or women stand behind the imam. If the followers are some men and one woman or some women, it is recommended that the men stand behind the imam and the women stand behind the men.

Ruling 1460. If both the imam and the followers are women, the obligatory precaution is that all of them must stand in one line and the imam must not stand in front of the others.

Ruling 1461. It is recommended that the imam stands in the middle of the line and that learned, virtuous, and God-wary people stand in the first row.

Ruling 1462. It is recommended that the rows of the congregation are orderly and that there should not be a gap between the persons standing in one row and that their shoulders should be in line with one another.

Ruling 1463. It is recommended that a follower stands up [for the prayer] after '*qad qāmatiṣ ṣalāh*' [of *iqāmah*] has been said.

Ruling 1464. It is recommended that the imam of congregational prayers takes into account the condition of the followers who are weaker than others, and that he does not prolong *qunūt*, *rukūʿ*, and *sujūd* unless he knows that all the persons following him prefer him to do so.

Ruling 1465. When reciting Surat al-Ḥamd and the other surah, and

when saying the *dhikrs* that are said aloud, it is recommended that the imam of congregational prayers raises his voice to the extent that others can hear him; however, he must not raise it more than what is considered to be a normal voice.

Ruling 1466. If while performing *rukū'* the imam realises that a person has just arrived and wants to join, it is recommended that he prolongs the *rukū'* twice as much as normal and then stands up, even if he realises that another person has also arrived and wants to join.

THINGS THAT ARE DISAPPROVED (MAKRŪH) IN CONGREGATIONAL PRAYERS

Ruling 1467. If there is space in the rows of congregational prayers, it is disapproved for a person to stand alone.

Ruling 1468. It is disapproved for a follower to say the *dhikr* of prayers in a way that the imam hears it.

Ruling 1469. It is disapproved for a traveller who performs *ẓuhr*, *ʿaṣr*, and *ʿishā'* as two *rak'ah* prayers to follow in these prayers someone who is not a traveller. Similarly, it is disapproved for someone who is not a traveller to follow in these prayers someone who is a traveller.

THE PRAYER OF SIGNS (ṢALĀT AL-ĀYĀT)

Ruling 1470. *Ṣalāt al-āyāt*, for which the method of performance will be explained later, becomes obligatory when the following three phenomena occur:

1. solar eclipse;
2. lunar eclipse;

and with the occurrence of these two phenomena, *ṣalāt al-āyāt* becomes obligatory even if the eclipse is partial and even if one is not frightened by it;

3. earthquake, based on obligatory precaution, even if one is not frightened by it.

Based on recommended precaution, *ṣalāt al-āyāt* should be performed when thunder and lightning, gales that make the sky look black or red, and other similar natural celestial phenomena occur provided that most people are frightened by them. Similarly, [the prayer should be performed] when natural terrestrial phenomena occur that cause most people to fear, such as sinkholes and rock-slides.

Ruling 1471. If more than one phenomenon that makes it obligatory to perform *ṣalāt al-āyāt* occurs, then one must perform *ṣalāt al-āyāt* for each one of them. For example, if there is a solar eclipse and an earthquake, one must perform two *ṣalāt al-āyāt*s.

Ruling 1472. If it is obligatory on someone to perform a number of *qadā' ṣalāt al-āyāt*s, whether they have become obligatory due to the same phenomenon – for example, there were three solar eclipses for which he did not perform *ṣalāt al-āyāt* – or they have become obligatory due to different phenomena – for example, a solar eclipse, a lunar eclipse, and an earthquake – then, when one makes them up, it is not necessary for him to specify the phenomenon for which he is performing the prayer.

Ruling 1473. When a phenomenon occurs for which *ṣalāt al-āyāt* is obligatory, only the people of the area in which the phenomenon occurred must perform *ṣalāt al-āyāt*. It is not obligatory on people in other areas.

Ruling 1474. The time for performing *ṣalāt al-āyāt* for a solar or lunar eclipse commences from the moment the eclipse begins, and it continues until the sun or the moon goes back to its normal state (although it is better not to delay the prayer until the eclipse starts to reverse). However, completing *ṣalāt al-āyāt* can be delayed until after the eclipse is over.⁶⁴

⁶⁴ This means that although a person must start performing *ṣalāt al-āyāt* during the eclipse, he can continue performing it while the eclipse continues and need not finish it before the eclipse is over.

Ruling 1475. If a person delays performing *ṣalāt al-āyāt* until the eclipse begins to reverse, there is no problem if he performs it with the intention of *adā'*. However, once the eclipse is over, the prayer becomes *qaḍā'*.

Ruling 1476. If an eclipse lasts long enough for one *rak'ah* or less to be performed, one must perform the prayer with the intention of *adā'*. The same applies if the eclipse lasts for a longer time. And if one does not perform the prayer until the time remaining is enough to perform only one *rak'ah* or less, *ṣalāt al-āyāt* is still obligatory and [must also be performed with the intention of] *adā'*.

Ruling 1477. When thunder, lightning, and other similar natural phenomena occur, if one wants to [perform *ṣalāt al-āyāt*] as a precautionary measure and if these phenomena last a long time, it is not necessary for him to perform the prayer immediately. In other cases, such as an earthquake, one must perform it immediately in a way that people would not consider it as being delayed; and if he does delay it, the recommended precaution is that he should perform it later without making an intention of *adā'* or *qaḍā'*.

Ruling 1478. If a person does not know about the occurrence of an eclipse and after the eclipse is over he realises that there was a total eclipse, he must make up the *ṣalāt al-āyāt*. However, if he realises that it was a partial eclipse, then making it up is not obligatory on him.

Ruling 1479. If a group of people say that an eclipse has occurred, in the event that one does not personally attain certainty or confidence [that an eclipse has occurred] and does not perform *ṣalāt al-āyāt*, and later he realises that they were right, then in case it was a total eclipse, he must perform *ṣalāt al-āyāt*. However, if it was a partial eclipse, it is not obligatory on him to perform *ṣalāt al-āyāt*. The same applies if two people about whom one does not know whether they are just or not say that an eclipse has occurred, and later he realises that they were just.

Ruling 1480. If a person attains confidence that an eclipse has occurred based on the statement of persons who know the time of eclipses by means of scientific principles, he must perform *ṣalāt*

al-āyāt. Furthermore, if they say the eclipse will take place at such and such a time and that it will last for such and such a duration and one attains confidence in what they say, he must act according to what they say.

Ruling 1481. If a person realises that the *ṣalāt al-āyāt* he performed for a solar or lunar eclipse was invalid, he must perform it again; and if the time for it has passed, he must make it up.

Ruling 1482. If *ṣalāt al-āyāt* becomes obligatory on someone during the time of a daily prayer, in the event that there is enough time for him to perform both of them, it is not a problem whichever one he performs first. However, if the time for performing one of them is short, then he must perform that one first; and if the time for both of them is short, he must perform the daily prayer first.

Ruling 1483. If while performing the daily prayer one realises that the time for performing *ṣalāt al-āyāt* is short, in the event that the time for performing the daily prayer is also short, he must complete it and then perform *ṣalāt al-āyāt*. If the time for the daily prayer is not short, he must break his prayer and first perform *ṣalāt al-āyāt* and then perform the daily prayer.

Ruling 1484. If while performing *ṣalāt al-āyāt* one realises that the time for performing the daily prayer is short, he must abandon *ṣalāt al-āyāt* and start performing the daily prayer; and after completing the prayer but before doing something that invalidates prayers, he must continue performing the rest of *ṣalāt al-āyāt* from the point he had abandoned it.

Ruling 1485. If a woman is in the state of *ḥayḍ* or *nifās* and an eclipse or earthquake occurs, it is not obligatory on her to perform *ṣalāt al-āyāt* and nor does she have to make it up.

METHOD OF PERFORMING ṢALĀT AL-ĀYĀT

Ruling 1486. *Ṣalāt al-āyāt* consists of two *rak'ahs*, and in each *rak'ah* there are five *rukū's*. The method of performing the prayer is as

follows: after one has made the intention [of performing the prayer], he says *takbīr*, recites one Surat al-Ḥamd and one other complete surah, goes into *rukūʿ*, and then raises his head from *rukūʿ*; then, he again recites one Surat al-Ḥamd and one other complete surah, goes into *rukūʿ* again, and so on until he has done this a total of five times. After getting up from the fifth *rukūʿ*, he performs two *sajdahs*, stands up, and proceeds to perform the second *rakʿah* in the same way as the first; he then says *tashahhud* and the *salām* of the prayer.

Ruling 1487. [A shorter method of performing *ṣalāt al-āyāt* is as follows:] after one has made the intention [of performing the prayer], he says *takbīr* and recites Surat al-Ḥamd; then, he can divide the verses of the other surah into five parts and recite one verse or more, or even less, provided that – based on obligatory precaution – it is a complete sentence. He must start from the beginning of the surah and must not suffice with reciting *bismillāh* [on its own and count that as one verse]. Then, he goes into *rukūʿ*, raises his head, and without reciting Surat al-Ḥamd he recites the second part of the other surah. He then goes into *rukūʿ* again, and so on until he completes the other surah before he goes into the fifth *rukūʿ*. For example, if the other surah is Surat al-Falaq,⁶⁵ he first says:

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ. قُلْ أَعُوذُ بِرَبِّ الْفَلَقِ

bismil lāhir raḥmānir raḥīm. qul aʿūdhu birabbil falaq.

In the Name of Allah, the All-beneficent, the All-merciful. Say, 'I seek the protection of the Lord of the daybreak.

...and goes into *rukūʿ* [for the first time]; he then stands up and says:

مِنْ شَرِّ مَا خَلَقَ

min sharri mā khalaq

from the evil of what He has created,

...and goes into *rukūʿ* again [for the second time]; he then stands up and says:

وَمِنْ شَرِّ غَاسِقٍ إِذَا وَقَبَ

⁶⁵ Chapter 113 of the Qur'an.

wa min sharri ghāsiqin idhā waqab
and from the evil of the dark night when it settles,

...and goes into *rukū'* again [for the third time]; he then stands up and says:

وَمِنْ شَرِّ النَّفَّاثَاتِ فِي الْعُقَدِ

wa min sharrin naffāthāti fil 'uqad
and from the evil of the witches who blow on knots,

...and goes into *rukū'* again [for the fourth time]; he then stands up and says:

وَمِنْ شَرِّ حَاسِدٍ إِذَا حَسَدَ

wa min sharri ḥāsīdin idhā ḥasad
and from the evil of the envious one when he envies.'

...and goes into *rukū'* for the fifth time. He then stands up, performs two *sajdahs*, and then proceeds to perform the second *rak'ah* in the same way as the first. And after the second *sajdah* [of the second *rak'ah*], he says *tashahhud* and the *salām* of the prayer. Furthermore, it is permitted for one to divide the surah into less than five parts, but whenever he completes the surah, it is necessary that he recites Surat al-Ḥamd before performing the next *rukū'*.

Ruling 1488. There is no problem if a person recites Surat al-Ḥamd and the other surah five times in one *rak'ah* of *ṣalāt al-āyāt*, and in the other *rak'ah* he recites one Surat al-Ḥamd and divides the other surah into five parts.

Ruling 1489. Those things that are obligatory and recommended in the daily prayers are also obligatory and recommended in *ṣalāt al-āyāt*. However, if *ṣalāt al-āyāt* is performed in congregation, one can say '*aṣṣalāh*' three times instead of *adhān* and *iqāmah* with the intention of *raja'*; this does not apply if the prayer is not performed in congregation. The legality of performing *ṣalāt al-āyāt* in congregation for phenomena other than solar and lunar eclipses is not established [i.e. it must not be performed in congregation for other than these phenomena].

Ruling 1490. It is recommended that one says *takbīr* before and after *rukūʿ*, but saying *takbīr* after the fifth and the tenth *rukūʿ* is not recommended; rather, it is recommended that one says '*samiʿal lāhu liman ḥamidah*'.⁶⁶

Ruling 1491. It is recommended that one performs *qunūt* before the second, fourth, sixth, eighth, and tenth *rukūʿ*; and if one performs *qunūt* after only the tenth *rukūʿ*, it is sufficient.

Ruling 1492. If in *ṣalāt al-āyāt* one doubts how many *rakʿahs* he has performed, and having thought about it he does not find an answer, his prayer is invalid.

Ruling 1493. If a person doubts whether he is in the last *rukūʿ* of the first *rakʿah* or the first *rukūʿ* of the second *rakʿah*, and having thought about it he does not find an answer, his prayer is invalid. However, if, for example, he doubts whether he has performed four or five *rukūʿs*, in the event that his doubt arises before he bends down for *sajdah*, he must perform the *rukūʿ* about which he doubts. However, if he has already bent down for *sajdah*, he must dismiss his doubt.

Ruling 1494. Every *rukūʿ* of *ṣalāt al-āyāt* is a *rukʿ*; therefore, if a *rukūʿ* is intentionally omitted or added, the prayer is invalid. The same applies if a *rukūʿ* is mistakenly omitted, or, based on obligatory precaution, if it is mistakenly added.

THE EID AL-FITR⁶⁷ & EID AL-AḌḤĀ PRAYERS⁶⁸

Ruling 1495. The Eid al-Fitr and Eid al-Aḍḥā prayer is obligatory during the presence of the Imam (ʿA) and must be performed in congregation. In our time, when the Imam (ʿA) is in occultation, the prayer is recommended and it can be performed in congregation or on one's own.

⁶⁶ For the translation of this phrase, see the third section of 'Translation of prayers' after Ruling 1107.

⁶⁷ The 1st of Shawwāl.

⁶⁸ The 10th of Dhū al-Ḥijjah.

Ruling 1496. The time for the Eid al-Fiṭr and Eid al-Aḍḥā prayer is from sunrise to the time of *zuhr* prayers on the day of Eid.

Ruling 1497. It is recommended that one performs the Eid al-Aḍḥā prayer after sunrise. On the day of Eid al-Fiṭr, it is recommended that after sunrise one eats something, pays the *fiṭrah* alms tax (*zakāt al-fiṭrah*),⁶⁹ and then performs Eid prayers.

Ruling 1498. The Eid al-Fiṭr and Eid al-Aḍḥā prayer consists of two *rak'ahs*, and in each *rak'ah* after reciting Surat al-Ḥamd and the other surah, one says three *takbirs*, although it is better that he says five *takbirs* in the first *rak'ah*. Between every two *takbirs* he should perform one *qunūt*; and after the fifth *takbīr* he should say another *takbīr*, go into *rukū'*, perform two *sajdahs*, and stand up. In the second *rak'ah*, he should say four *takbirs*, and between every two *takbirs* he should perform one *qunūt*; and after the fourth *takbīr* he should say another *takbīr*, go into *rukū'*, perform two *sajdahs*, say *tashahhud* and the *salām* of the prayer.

Ruling 1499. In the *qunūt* of the Eid al-Fiṭr and Eid al-Aḍḥā prayer, it is sufficient for one to recite any *du'ā'* or say any *dhikr*. However, it is better that one recites this *du'ā'*:

اللَّهُمَّ أَهْلَ الْكِبْرِيَاءِ وَالْعِظَمَةِ، وَأَهْلَ الْجُودِ وَالْجَبَرُوتِ، وَأَهْلَ الْعَفْوِ وَالرَّحْمَةِ، وَأَهْلَ التَّقْوَى وَالْمَغْفِرَةِ، أَسْأَلُكَ بِحَقِّ هَذَا الْيَوْمِ، الَّذِي جَعَلْتَهُ لِلْمُسْلِمِينَ عِيدًا، وَلِمُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ ذُخْرًا وَشَرَفًا وَكَرَامَةً وَمَزِيدًا، أَنْ تُصَلِّيَ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَأَنْ تُدْخِلَنِي فِي كُلِّ خَيْرٍ أَذْخَلْتَ فِيهِ مُحَمَّدًا وَآلَ مُحَمَّدٍ، وَأَنْ تُخْرِجَنِي مِنْ كُلِّ سُوءٍ أَخْرَجْتَ مِنْهُ مُحَمَّدًا وَآلَ مُحَمَّدٍ صَلَوَاتِكَ عَلَيْهِ وَعَلَيْهِمْ، اللَّهُمَّ إِنِّي أَسْأَلُكَ خَيْرَ مَا سَأَلْتُكَ بِهِ عِبَادَكَ الصَّالِحِينَ، وَأَعُوذُ بِكَ بِمَا اسْتَعَاذَ مِنْهُ عِبَادُكَ الْمُخْلِصُونَ

allāhumma ahlal kibriyā'i wal aẓamah, wa ahlal jūdī wal jabarūt, wa ahlal 'afwi war raḥmah, wa ahlal taqwā wal maghfirah, as'aluka biḥaqqi hādhal yawm, alladhī ja'altahu lil-muslimīna 'idā, wa limuḥammadin ṣallallāhu 'alayhi wa sallama dhukhraw wa sharafaw wa karāmataw wa mazidā,

⁶⁹ The laws relating to this tax are stated in Ruling 2003 and onwards.

an tuṣalliya ‘alā muḥammadiw wa āli muḥammad, wa an tudkhillanī fī kulli khayrin adkhalta fīhi muḥammadan wa āla muḥammad, wa an tukhrijanī min kulli sū’in akhrajta minhu muḥammadaw wa āla muḥammad, ṣalawātuka ‘alayhi wa ‘alayhim, allāhumma innī as’aluka khayra mā sa’alaka bihi ‘ibādukaṣ ṣāliḥūn, wa a’ūdhu bika mimmas ta’ādha minhu ‘ibādukal mukhlaṣūn

O Allah! Worthy of supremacy and greatness, and worthy of magnanimity and omnipotence, and worthy to pardon and to show mercy, and worthy of being wary of and to forgive: I beseech You by the right of this day – which You have appointed to be an Eid for the Muslims and to be [a source for] accumulating [Your blessings], and [a source of] honour, nobility, and increase [in Your blessings] for Muḥammad, may Allah shower His blessings upon and extend His salutations to him and his progeny – that You bless Muḥammad and the progeny of Muḥammad, and that You place me in every goodness in which You placed Muḥammad and the progeny of Muḥammad, and that You remove me from every evil from which You removed Muḥammad and the progeny of Muḥammad, may Your blessings be upon him and upon them. O Allah! I indeed beseech You for the good for which Your righteous servants have beseeched You, and I seek protection in You from all that for which Your purified servants have sought Your protection.

Ruling 1500. During the period of occultation of the Imam (‘A), if the Eid al-Fiṭr and Eid al-Adḥā prayer is performed in congregation, the obligatory precaution is that two sermons must be delivered after the prayer. And it is better that in the sermon of Eid al-Fiṭr the laws of zakat of *fiṭr* be mentioned, and in the sermon of Eid al-Adḥā the laws of sacrificing animals be mentioned.

Ruling 1501. The Eid prayer does not have a specified surah [to be recited], but it is better that in the first *rak‘ah* Surat al-Shams (the ninety-first chapter) be recited, and in the second *rak‘ah* Surat al-Ghāshiyah (the eighty-eighth chapter) be recited; or, in the first *rak‘ah* Surat al-A‘lā (the eighty-seventh chapter) be recited, and in the second *rak‘ah* Surat al-Shams be recited.

Ruling 1502. It is recommended that Eid prayers be performed in the desert [or in open fields etc.]. However, in Mecca it is recommended that they be performed in Masjid al-Ḥarām.

Ruling 1503. It is recommended to walk barefooted and in a dignified manner to Eid prayers, and to perform *ghusl* before the prayer, and to place a white turban (*‘ammāmah*) on one's head.

Ruling 1504. It is recommended in Eid prayers to perform *sajdah* on earth, to raise one's hands when saying the *takbīrs*, and to recite Surat al-Ḥamd and the other surah aloud, whether one is the imam of the congregation or one is performing the prayer on his own.

Ruling 1505. After *maghrib* and *‘ishā’* prayers on the evening of Eid al-Fiṭr, and after *ṣubḥ* prayers, and after the Eid al-Fiṭr prayer, it is recommended that one says these *takbīrs*:

اللَّهُ أَكْبَرُ، اللَّهُ أَكْبَرُ، لَا إِلَهَ إِلَّا اللَّهُ وَ اللَّهُ أَكْبَرُ، اللَّهُ أَكْبَرُ وَ لِلَّهِ الْحَمْدُ،
اللَّهُ أَكْبَرُ عَلَى مَا هَدَانَا

allāhu akbar, allāhu akbar, lā ilāha illal lāhu wal lāhu akbar, allāhu akbar
wa lillāhil ḥamd, allāhu akbar ‘alā mā hadānā

Allah is greater;⁷⁰ Allah is greater; there is no god but Allah and Allah is greater; Allah is greater and all praise is for Allah; Allah is greater for having guided us.

Ruling 1506. It is recommended that on Eid al-Aḍḥā after ten [consecutive] prayers – the first of which being the *zuhr* prayer on the day of Eid and the last one being the *ṣubḥ* prayer on the twelfth day [of Dhū al-Ḥijjah] – a person says the *takbīrs* that were mentioned in the previous ruling, and that after each one he says:

اللَّهُ أَكْبَرُ عَلَى مَا رَزَقَنَا مِنْ بَهِيمَةِ الْأَنْعَامِ، وَ الْحَمْدُ لِلَّهِ عَلَى مَا أَبْلَانَا
allāhu akbaru ‘alā mā razaqanā mim bahīmatil an‘ām, wal ḥamdu lillāhi
‘alā mā ablānā

Allah is greater for having sustained us with [the produce of] cattle livestock, and all praise is for Allah for having tested us.

However, if one is in Mina on Eid al-Aḍḥā, it is recommended that one says these *takbīrs* after fifteen [consecutive] prayers, the first of

⁷⁰ As mentioned in the section on *adhān*, the complete meaning of this statement is ‘Allah is greater than what He is described as’.

which being the *ẓuhr* prayer on the day of Eid and the last one being the *ṣubḥ* prayer on the thirteenth day of Dhū al-Ḥijjah.

Ruling 1507. The recommended precaution is that women should avoid going to Eid prayers; however, this precaution does not apply to elderly women.

Ruling 1508. In Eid prayers, just like in other prayers, the follower must say everything except the recitation of Surat al-Ḥamd and the other surah.

Ruling 1509. If a follower joins [the Eid prayer] when the imam has already said some of the *takbīrs*, then after the imam goes into *rukūʿ*, he must say all the *takbīrs* and perform all the *qunūts* that he missed and then perform *rukūʿ*; and it is sufficient that in every *qunūt* he says 'ṣubḥānal lāhi wal ḥamdu lillāh'. If there is not enough time, he must only say the *takbīrs*. And if there is not even enough time to perform the *takbīrs*, it is sufficient that he follows the imam and goes into *rukūʿ*.

Ruling 1510. If a person joins the Eid prayer when the imam is in *rukūʿ*, he can make the intention [of performing the prayer] and say the first *takbīr* of the prayer and then go into *rukūʿ*.

Ruling 1511. If a person forgets a *sajdah* in the Eid prayer, it is necessary that he performs it after the prayer. Similarly, if something happens [in the Eid prayer] that would necessitate *sajdat al-sahw* to be performed were it to happen in a daily prayer, then it is necessary to perform two *sajdat al-sahws* for it.

HIRING SOMEONE TO PERFORM PRAYERS⁷¹

Ruling 1512. After someone has died, a person can be hired – i.e. he can be paid – to perform the prayers and other acts of worship that the deceased did not perform during his lifetime. And if someone performs them without getting paid, this is also valid.

⁷¹ The laws stated in this section are sometimes discussed under the heading 'ni-yābah', i.e. doing something on behalf of someone else.

Ruling 1513. A person can be hired to perform certain recommended acts – such as hajj, ‘umrah, ziyārah of the grave of Prophet Muḥammad (S) and the Imams (A) – on behalf of someone else. A person can also be hired to perform recommended acts and dedicate their reward to living or deceased persons.

Ruling 1514. A person who is hired to perform the *qaḍā’* prayers of a deceased person must either be a *mujtahid*,⁷² or he must perform prayers according to the fatwa of someone whom it is valid to follow [i.e. do *taqlīd*],⁷³ or he must act on precaution if he fully knows about the situations in which one can exercise precaution.

Ruling 1515. A person who is hired must specify the deceased at the time of making the intention, but it is not necessary that he knows his name. Therefore, if he makes the intention that ‘I am performing prayers on behalf of the person I am hired for’, it is sufficient.

Ruling 1516. A person who is hired must perform the act with the intention of discharging the obligation that is on the deceased. Therefore, it is not sufficient if he simply performs an act and dedicates the reward of it to him.

Ruling 1517. A person who hires someone must be confident that he will perform the act, and he must deem it probable that he will perform it correctly.

Ruling 1518. If someone realises that the person whom he hired to perform the prayers of a deceased person has not performed them, or that he has performed them incorrectly, he must hire someone again.

Ruling 1519. If someone doubts whether or not the hired person has performed the act – even if the hired person says ‘I have performed it’ but he is not confident in the statement being true – then based on obligatory precaution, he must hire someone again. However, if he

⁷² A *mujtahid* is a person who has attained the level of *ijtihād*, qualifying him to be an authority in Islamic law. *Ijtihād* is the process of deriving Islamic laws from authentic sources.

⁷³ The laws of *taqlīd* are mentioned in the first chapter of the present work.

doubts whether or not he performed the act correctly, he can assume it was performed correctly.

Ruling 1520. Based on obligatory precaution, a person who has a legitimate excuse [for performing prayers in a certain way] – for example, he performs prayers with *tayammum* or in a sitting position – cannot be hired in any case to perform the prayers of a deceased person, even if the prayers of the deceased became *qaḍāʾ* in the same way. However, hiring someone who performs prayers with *jabīrah wuḍūʾ* or with *jabīrah ghusl* is not a problem, and the same applies to hiring someone whose hands or feet have been amputated, although to suffice with the acts he performs on behalf of the person is problematic [i.e. based on obligatory precaution, one must not suffice with the acts he performs].

Ruling 1521. A man can be hired for a woman and a woman for a man. As for performing prayers aloud or in a whisper, the hired person must act according to his or her own duty.⁷⁴

Ruling 1522. It is not necessary to perform the *qaḍāʾ* prayers of a deceased person in the order they became *qaḍāʾ* except for the prayers that must be performed in a particular order when they are performed within their prescribed time, such as *zuhr* and *ʿaṣr* prayers, or *maghrib* and *ʿishāʾ* prayers, of the same day, as was mentioned previously. However, if someone is hired to act according to the fatwa of the deceased's *marjaʿ*⁷⁵ or according to the *marjaʿ* of the deceased's guardian [*walī*],⁷⁶ and that *marjaʿ* considers it necessary to observe the order, then one must observe the order.

Ruling 1523. If someone makes a condition with the hired person to perform an act in a particular manner, he must do so unless he is certain that the particular manner will invalidate the act. If such a

⁷⁴ Therefore, if, for example, a man has been hired to perform the *qaḍāʾ ṣubḥ* prayers of a deceased woman, he must recite Surat al-Ḥamd and the other surah aloud. See Ruling 978.

⁷⁵ That is, a jurist who has the necessary qualifications to be followed in matters of Islamic jurisprudence.

⁷⁶ This scenario could arise when, for example, the *walī* is the eldest son of the deceased and it is obligatory on him to perform the *qaḍāʾ* prayers of his late father.

condition is not made with him, he must perform the act according to his own duty. And the recommended precaution is that if there is a difference between his duty and that of the deceased's, he should act according to the duty that is more precautionary; for example, if the duty of the deceased was to say *al-tasbīhāt al-arbaʿah* three times and his duty is to say it once, then he should say it three times.

Ruling 1524. If a condition has not been made with a hired person as to how many recommended acts must be performed, he must perform prayers with a normal amount of recommended acts.

Ruling 1525. If someone hires a number of people to perform the *qaḍāʾ* prayers of a deceased person, then, as per Ruling 1522, it is not necessary to specify a time for each of them.

Ruling 1526. If a person is hired to, for example, perform the prayers of a deceased person within the period of one year, and if he dies before the end of one year, then another person must be hired to perform the prayers that are known not to have been performed [by the previous hired person]. And if it is deemed probable that the hired person did not perform them, then based on obligatory precaution, another person must still be hired.

Ruling 1527. If someone who is hired to perform the prayers of a deceased person dies before completing the prayers, and if he had taken wages for all of them, in the event that it was a condition that he would perform all the prayers himself, the person who hired him can take back the money for the prayers that were not performed, or he can cancel the contract and pay at the commonly accepted rate for the prayers that have been performed. However, if it was not a condition that he would perform the prayers himself, then his heirs must hire someone from his estate; and if he does not have any estate, then nothing is obligatory on his heirs.

Ruling 1528. If someone who is hired dies before performing all the *qaḍāʾ* prayers of the deceased, and if he has *qaḍāʾ* prayers of his own, then, after acting in accordance with the instructions mentioned in the previous ruling, if anything is left over from his estate and if he has made a will and his heirs give permission, then someone must

be hired to perform all his prayers. However, if the heirs do not give permission, then the one-third of his estate⁷⁷ must be used for [hiring someone to offer] his prayers.

⁷⁷ This refers to the maximum amount of one's estate over which he has discretion in a will for it to be disposed of in accordance with his wishes after his death.

CHAPTER FOUR

Fasting (*Ṣawm*)

‘Fasting’ means that one abstains from eight things – which will be mentioned later – from the start of the time of morning (*ṣubḥ*) prayers¹ until the time of sunset (*maghrib*),² in humility and obedience to the Lord of the worlds.

INTENTION (*NIYYAH*)

Ruling 1529. It is not necessary for one to make an intention in his heart to fast, or to say, for example, ‘I will fast tomorrow’; rather, it is sufficient for one to decide that in humility to the Lord of the worlds, from the start of the time of *ṣubḥ* prayers until the time of *maghrib* prayers, he will not do anything that invalidates a fast. In order to be certain (i.e. have *yaqīn*) that one has fasted throughout this time, he must begin abstaining from a short period before the time of *ṣubḥ* prayers, and he must also refrain from doing anything that invalidates the fast for a short period after *maghrib*.

Ruling 1530. On every night of the month of Ramadan, one can make the intention to fast the next day.

Ruling 1531. The latest time available for a conscious person to make the intention to keep a fast of Ramadan is at the time of *ṣubḥ* prayers. This means that, based on obligatory precaution (*al-iḥtiyāt al-wājib*), at the time of *ṣubḥ* his abstinence [from the eight things that invalidate a fast] must coincide with his intention to fast, albeit subconsciously.

Ruling 1532. [With regard to a recommended (*mustaḥabb*) fast,] if a person has not done anything that invalidates a fast, then at whatever time of the day he makes the intention to keep a recommended fast – even if there is a short period of time until *maghrib* – his fast is valid (*ṣaḥiḥ*).

Ruling 1533. If someone goes to sleep before the time of *ṣubḥ* prayers in Ramadan – or on any day which he assigned for keeping an

¹ In the original work, the term ‘morning call to prayer (*adhān*)’ is used, which practically speaking means the start of the time of the *ṣubḥ* prayer. The legal definition of *ṣubḥ* is stated in Ruling 728.

² For the legal definition of *maghrib* see Ruling 722.

obligatory (*wājib*) fast – without making the intention to fast, and he wakes up before midday (*ẓuhr*)³ and makes the intention to fast, his fast is valid. However, if he wakes up after *ẓuhr*, he must, as a precautionary measure, abstain [from the eight things that invalidate a fast] for the rest of the day with a general intention of attaining proximity to Allah (*qaṣd al-qurbah al-muṭlaqah*) [i.e. with the intention of attaining proximity to Allah without specifying any particulars about the fast], and he must also keep a *qaḍā'* fast for it [i.e. he must make up a fast for it after Ramadan].

Ruling 1534. If someone wants to keep a *qaḍā'* fast or a fast for recompense (*kaffārah*), he must specify it. For example, he must make the intention that 'I am keeping a *qaḍā'* fast', or 'I am keeping a *kaffārah* fast.' However, in the month of Ramadan, it is not necessary for one to make the intention that 'I am keeping a fast of the month of Ramadan.' In fact, if someone does not know or forgets that it is the month of Ramadan and makes the intention to keep some other fast, it will be considered a fast of the month of Ramadan. Similarly, for a fast of a vow (*nadhr*) and suchlike, it is not necessary to make the intention of keeping a fast of a vow.

Ruling 1535. If someone knows that it is the month of Ramadan yet intentionally (*ʿamdan*) makes the intention to keep a fast other than that of Ramadan, the fast for which he made the intention will not be valid. Similarly, it will not be considered a fast of the month of Ramadan if that intention is something that is inconsistent with attaining proximity to Allah. In fact, even if it is not inconsistent with attaining proximity to Allah, based on obligatory precaution, it will not be considered a fast of the month of Ramadan.

Ruling 1536. If, for example, someone keeps a fast with the intention of the first day of the month of Ramadan and afterwards realises that it was the second or third of the month, his fast is valid.

Ruling 1537. If someone who makes the intention before the time of *ṣubḥ* prayers to fast the next day becomes unconscious, and during the day he regains consciousness, then based on obligatory precaution,

³ For the legal definition of *ẓuhr* see Ruling 717.

he must complete the fast of that day; and if he does not complete it, he must keep a *qaḍā'* fast for it.

Ruling 1538. If someone makes an intention before the time of *ṣubḥ* prayers to fast the next day and becomes intoxicated, and during the day he becomes sober, then based on obligatory precaution, he must complete the fast of that day and also keep a *qaḍā'* fast for it.

Ruling 1539. If someone makes the intention before the time of *ṣubḥ* prayers to fast the next day, goes to sleep, and wakes up after *maghrib*, his fast is valid.

Ruling 1540. If someone does not know or forgets that it is the month of Ramadan and becomes aware of this before *zuhr*, in the event that he has done something that invalidates a fast, his fast is invalid (*bāṭil*) and [he must act according to two instructions:] (1) for the rest of that day, he must not do anything else that invalidates a fast until *maghrib*, and (2) after Ramadan, he must keep a *qaḍā'* fast for it. If someone becomes aware after *zuhr* that it is the month of Ramadan, then based on obligatory precaution, he must fast with the intention of *rajā'* [i.e. with the intention of keeping the fast in the hope that it is desired by Allah]; and after Ramadan, he must also keep a *qaḍā'* fast for it. However, if he becomes aware before *zuhr* and he has not done anything that invalidates a fast, he must make the intention of fasting and his fast is valid.

Ruling 1541. If a child reaches the age of legal responsibility (becomes *bāligh*) before the time of *ṣubḥ* prayers in the month of Ramadan, he must fast. And if a child becomes *bāligh* after the time of *ṣubḥ* prayers, the fast of that day is not obligatory on him. However, if he had made the intention to keep a recommended fast, the recommended precaution (*al-iḥtiyāt al-mustaḥabb*) is that he should complete it.

Ruling 1542. If someone has been hired to keep the *qaḍā'* fasts of a dead person, or, if he has to keep a *kaffārah* fast of his own, there is no problem in him keeping a recommended fast of his own. However, if someone has to keep his own *qaḍā'* fasts of the month Ramadan, he cannot keep a recommended fast [until he has kept his own *qaḍā'* fasts]; and in the event that he forgets and keeps a recommended

fast and he remembers this before *zuhr*, his recommended fast is annulled and he can change his intention to an intention of keeping a *qaḍā'* fast. However, if he becomes aware after *zuhr*, then based on obligatory precaution, his fast is invalid, but if he remembers after *maghrib*, his fast is valid.

Ruling 1543. If it is obligatory on a person to keep an assigned [i.e. time-specific] fast other than the fast of the month of Ramadan – for example, he had made a vow that he would fast on a particular day – in the event that he intentionally does not make the intention to keep that fast until the time of *ṣubḥ* prayers, his fast is invalid. However, if he does not know that it is obligatory on him to fast on that day, or he forgets and remembers before *zuhr*, in the event that he has not done anything that invalidates a fast and consequently makes the intention to fast, his fast will be valid. However, if he remembers after *zuhr*, he must exercise the obligatory precautionary measure that was mentioned concerning the fast of Ramadan [in Ruling 1533, which stated that he must abstain for the rest of the day from the eight things that invalidate a fast with a general intention of attaining proximity to Allah, and that he must also keep a *qaḍā'* fast for it].

Ruling 1544. There is no problem if someone intentionally does not make the intention to fast until near *zuhr* for an obligatory fast that has not been assigned for a particular day, such as a fast for *kaffārah*. If a person decides not to fast or is indecisive as to whether he should fast or not, in the event that he has not done anything that invalidates a fast, he can make the intention before *zuhr* to fast and his fast will be valid.

Ruling 1545. If a disbeliever (*kāfir*) becomes a Muslim during the daytime in the month of Ramadan, and from the time of *ṣubḥ* prayers until the time he became a Muslim he did not do anything that invalidates a fast, then based on obligatory precaution, he must abstain [from the eight things that invalidate a fast] until the end of the day with the intention to fulfil whatever his legal obligation happens to be (*mā fī al-dhimmah*); and if he does not do this, he must keep a *qaḍā'* fast for it.

Ruling 1546. If in the middle of a day in the month of Ramadan a

sick person gets well before *ẓuhr* and until that time he did not do anything that invalidates a fast, then based on obligatory precaution, he must make the intention to fast and keep the fast on that day; and in the event that he gets better after *ẓuhr*, it is not obligatory on him to fast on that day but he must keep a *qadā'* fast for it.

Ruling 1547. If someone doubts (i.e. has a *shakk*) whether it is the last day of Sha'bān or the first day of Ramadan, it is not obligatory on him to fast on that day; and if he wants to fast on that day, he cannot do so with the intention of keeping the fast of Ramadan. However, if he makes the intention that if it is Ramadan then he is keeping the fast of Ramadan, and if it is not Ramadan then he is keeping a *qadā'* fast or another legitimate fast [including a recommended fast], the validity of the fast is not farfetched (*ba'īd*)⁴ [i.e. the fast will be deemed valid]. In this situation, it is better that he fasts with the intention of keeping a *qadā'* fast or another legitimate fast, and in the event that afterwards it becomes known that it was the first day of Ramadan, it will be counted as the fast of Ramadan. Furthermore, if a person makes the intention of fasting in general [i.e. with the intention of attaining proximity to Allah without specifying any particulars about the fast] and afterwards it becomes known that it was Ramadan, it is also sufficient.⁵

Ruling 1548. If there is doubt as to whether it is the last day of Sha'bān or the first day of Ramadan and someone keeps a fast with the intention of a *qadā'* fast or a recommended fast or suchlike, and if during the day he finds out that it is the month of Ramadan, he must make the intention of the fast of the month of Ramadan [and continue fasting].

Ruling 1549. If someone [having no legitimate excuse (*'udhr*)] is indecisive as to whether or not to invalidate an assigned [i.e. time-specific] obligatory fast – such as the fast of Ramadan – or decides to invalidate his fast [but does not do anything to break his fast] and he does not make the intention to fast again, his fast

⁴ For practical purposes, a legal opinion that is termed 'not farfetched' equates to a fatwa.

⁵ This ruling and the next concern a matter that is referred to as '*yawm al-shakk*' (day of doubt).

becomes invalid; and if he does make the intention to fast again, the obligatory precaution is that he must complete the fast of that day and afterwards keep a *qaḍā'* fast for it.

Ruling 1550. With regard to a recommended fast or an obligatory fast that does not have an assigned time – such as a fast for *kaffārah* – if someone decides to do something that invalidates a fast or is indecisive as to whether or not to invalidate it, then, in the event that he does not do so and makes the intention to fast again before *zuhr* in the case of an obligatory fast, and before sunset in the case of a recommended fast, his fast is valid.

THINGS THAT INVALIDATE A FAST

Ruling 1551. Eight things invalidate a fast:

1. eating and drinking;
2. sexual intercourse;
3. masturbation, meaning that a man – either with himself or by means of something – does something other than having sexual intercourse that results in ejaculation. How this applies to a woman was explained in Ruling 345;
4. based on obligatory precaution, ascribing false things to Allah, Prophet Muḥammad (S), and the successors of Prophet Muḥammad (S) [i.e. the Twelve Imams (‘A)];
5. causing thick dust to reach the throat, based on obligatory precaution;
6. remaining in a state of ritual impurity (*janābah*), menstruation (*ḥayḍ*), or lochia (*nifās*) until the time of *ṣubḥ* prayers;
7. applying liquid enema;
8. vomiting intentionally.

The laws (*aḥkām*) relating to these will be explained in the following rulings (*masā’il*).

1. Eating and drinking

Ruling 1552. If a fasting person who is aware of the fact that he is

fasting intentionally eats or drinks something, his fast becomes invalid, irrespective of whether the thing he ate or drank was something normal – such as bread and water – or not – such as earth and the sap of a tree – and irrespective of whether it was a little or a lot. In fact, even if one takes a toothbrush out of his mouth and then puts it back into his mouth and swallows the moisture, his fast becomes invalid unless the moisture of the toothbrush becomes obliterated in his saliva in a way that it can no longer be regarded as external moisture.

Ruling 1553. If someone realises while eating that it has become *ṣubḥ*, he must take the food out from his mouth; and in the event that he intentionally swallows it, his fast is invalid; and in accordance with the rules that will be mentioned later, *kaffārah* also becomes obligatory on him.

Ruling 1554. If a fasting person eats or drinks something inadvertently (*sahwan*), his fast does not become invalid.

Ruling 1555. Injections and intravenous drips do not invalidate a fast even if the former is an energy injection and the latter a glucose-saline drip. Similarly, a spray that is used for asthma does not invalidate a fast provided that the medicine only enters the lungs; and applying medicine [such as drops] to the eyes and ears does not invalidate a fast either, even if its taste reaches the throat. Likewise, if medicine is applied in the nose, it does not invalidate a fast as long as it does not reach the throat.

Ruling 1556. If a fasting person intentionally swallows something that has remained in-between his teeth, his fast becomes invalid.

Ruling 1557. If someone wishes to keep a fast, it is not necessary for him to use a toothpick before the time of *ṣubḥ* prayers. However, if one knows that some food that has remained in-between his teeth will be swallowed during the day, he must use a toothpick to remove it.

Ruling 1558. Swallowing saliva does not invalidate a fast even though it may have collected in one's mouth as a result of thinking about food and suchlike.

Ruling 1559. There is no problem in swallowing the mucus of the head and chest as long as it has not entered the cavity of the mouth. However, if it has entered the cavity of the mouth, the recommended precaution is that one should not swallow it.

Ruling 1560. If a fasting person becomes so thirsty that he fears he may die of thirst, sustain some harm, or fall into hardship that he cannot bear, he can drink water to the extent that his fear of these things is averted; but in this case, his fast becomes invalid. In fact, in the case of fear of death and suchlike, it is obligatory on one to drink. And if it is the month of Ramadan, then based on obligatory precaution, the person must not drink an amount that is more than necessary, and for the rest of the day he must refrain from doing anything else that invalidates a fast.

Ruling 1561. Chewing food for feeding a child or a bird, and tasting food [for example, to check that the right amount of salt has been added] and suchlike – which usually does not cause the food to reach the throat – does not invalidate a fast even if the food happens to reach the throat accidentally. However, if one knows from the outset that such food will reach the throat, his fast becomes invalid and he must keep a *qaḍā'* fast for it and *kaffārah* is also obligatory on him.

Ruling 1562. One cannot break his fast on account of feeling weak. However, if one's weakness is to such an extent that normally it could not be endured, there is no problem in breaking the fast.

2. Sexual intercourse

Ruling 1563. Sexual intercourse invalidates a fast even if penetration is as little as the circumcised part of the penis, and even if there is no ejaculation.

Ruling 1564. If penetration is less than the circumcised part of the penis and there is no ejaculation, the fast does not become invalid. However, for a man who has not been circumcised, any amount of penetration – even if it is less than the circumcised part of the penis – invalidates his fast.

Ruling 1565. If someone intentionally decides to have sexual intercourse and then doubts whether or not there was penetration up to the circumcised part of the penis, the rule (*ḥukm*) concerning this matter can be found in Ruling 1549; and if he has not done anything that invalidates a fast, *kaffārah* is not obligatory on him.

Ruling 1566. If someone forgets that he is fasting and has sexual intercourse, or, if someone is forced to have sexual intercourse in a manner that it is not of his free will, his fast does not become invalid. However, in the event that during sexual intercourse he remembers [that he is fasting], or he is no longer forced to have sexual intercourse, he must immediately stop having sexual intercourse; and if he does not stop his fast is invalid.

3. Masturbation

Ruling 1567. If a fasting person masturbates (the meaning of masturbation was mentioned in Ruling 1551), his fast becomes invalid.

Ruling 1568. If a person ejaculates involuntarily, his fast does not become invalid.

Ruling 1569. Whenever a fasting person knows that if he goes to sleep during the day he will have a wet dream [become *muḥtālim*] – i.e. semen will be ejaculated in his sleep – it is permitted (*jā'iz*) for him to go to sleep even if he will not encounter difficulty by not sleeping; and if he has a wet dream, his fast does not become invalid.

Ruling 1570. If a fasting person wakes up from sleep while ejaculation is taking place, it is not obligatory on him to stop the ejaculation.

Ruling 1571. A fasting person who has a wet dream can urinate even if he knows that by urinating some of the remaining semen will come out of his penis.

Ruling 1572. If a fasting person who has a wet dream knows that some semen has remained in his penis, and he knows that if he does not urinate before performing ritual bathing (*ghusl*) semen will be

discharged after *ghusl*, then the recommended precaution is that he should urinate before performing *ghusl*.

Ruling 1573. If someone intentionally indulges in courtship with the intention of ejaculating but he does not ejaculate and does not make another intention to fast, his fast is invalid; and if he makes the intention to fast, then based on obligatory precaution, he must complete his fast and also keep a *qadā'* fast.

Ruling 1574. If, for example, a fasting person indulges in courtship with his wife without the intention of ejaculating, in the event that he is confident (i.e. he has *iṭmi'nān*) that he will not ejaculate but does happen to ejaculate, his fast is valid. However, if he is not confident that he will not ejaculate and does ejaculate, his fast is invalid.

4. Ascribing something false to Allah, Prophet Muḥammad (S), and the Twelve Imams (A)

Ruling 1575. If a fasting person intentionally ascribes something false to Allah, Prophet Muḥammad (S), or the Twelve Imams (A) – whether he does this verbally, in writing, or by making a sign and suchlike – and even if he immediately says 'I have lied' or he repents, then based on obligatory precaution, his fast is invalid. The same applies, based on recommended precaution, to ascribing something false to Her Eminence [Fāṭimah] al-Zahrā' (A) and to the other Prophets and their successors.

Ruling 1576. If someone wishes to report a narration about which he does not have any evidence as to its authenticity, and he does not know whether it is true or false, then based on obligatory precaution, he must report it in such a way that he does not directly attribute it to Prophet Muḥammad (S) or to the Imams (A).

Ruling 1577. If someone quotes something as the word of Allah, Prophet Muḥammad (S), [or the Twelve Imams (A)] with the belief that it is true, and afterwards he realises that it was false, his fast does not become invalid.

Ruling 1578. If someone ascribes to Allah, Prophet Muḥammad (S),

[or the Twelve Imams ('A)] something that he knows to be false, and afterwards he realises that what he said was true, and he knew that this act would invalidate his fast, he must, based on obligatory precaution, complete his fast and also keep a *qaḍā'* fast.

Ruling 1579. If someone intentionally ascribes to Allah, Prophet Muḥammad (S), or the Twelve Imams ('A) something that has been fabricated by some other person, then as an obligatory precaution, his fast becomes invalid. However, if he simply narrates from the person who fabricated the falsehood without knowing it to be false, there is no problem [and his fast is valid].

Ruling 1580. If a fasting person is asked whether Prophet Muḥammad (S) [or Allah, or one of the Twelve Imams ('A)] said such and such thing and he intentionally replies 'Yes' when he should say 'No', or he intentionally replies 'No' when he should say 'Yes', then based on obligatory precaution, his fast becomes invalid.

Ruling 1581. If someone correctly quotes the words of Allah, Prophet Muḥammad (S), [or the Twelve Imams ('A)] and then says 'I lied', or at night he ascribes something false to them and on the following day when he is fasting he says 'What I said last night is true', then based on obligatory precaution, his fast becomes invalid unless his intention is to explain the state of his information [i.e. he means to assert that it is true that he *did* actually say that last night, not that *what* he said is true].

5. Causing dust to reach the throat

Ruling 1582. On the basis of obligatory precaution, causing thick dust to reach one's throat invalidates a fast, whether the dust is of something that is lawful (*ḥalāl*) to eat, such as flour, or it is of something that is unlawful (*ḥarām*) to eat, such as soil.

Ruling 1583. Causing dust that is not thick to reach the throat does not invalidate a fast.

Ruling 1584. If thick dust appears by means of the wind, and a person – despite being aware and able to take care – does not take care and

the dust reaches his throat, then based on obligatory precaution, his fast becomes invalid.

Ruling 1585. The obligatory precaution is that a fasting person must not cause the smoke of cigarettes, tobacco, or something similar to reach his throat.

Ruling 1586. If someone does not take due care and dust, smoke, or suchlike enters his throat, in the event that he was certain or confident that it would not reach his throat, his fast is valid; but if he only supposed (i.e. had *ẓann*) that it would not reach his throat, it is better that he keeps a *qaḍā'* fast for it.

Ruling 1587. If someone forgets that he is fasting and does not take due care, or, if dust or something similar reaches his throat involuntarily, his fast does not become invalid.

Ruling 1588. Immersing the entire head in water does not invalidate the fast but it is highly disapproved (*makrūh*).

6. Remaining in a state of *janābah*, *ḥayḍ*, or
nifās until the time of *ṣubḥ* prayers

Ruling 1589. If in the month of Ramadan a *junub*⁶ intentionally does not perform *ghusl* until the time of *ṣubḥ* prayers – or, if his duty is to perform dry ablution (*tayammum*) and he does not perform it – he must complete the fast of that day with the intention of *mā fī al-dhimmah* and he must also fast another day [after Ramadan]. And with regard to the fast on this additional day, as it is not known whether it is a fast of *qaḍā'* or of punishment, he must keep it with the intention of *mā fī al-dhimmah*, not with the intention of *qaḍā'*.

Ruling 1590. Whenever someone who wants to keep a *qaḍā'* fast of the month of Ramadan intentionally remains in the state of *janābah* until the time of *ṣubḥ* prayers, he cannot fast on that day; but if he does this unintentionally, he can fast on that day, although the recommended precaution is that he should not [fast on that day and

⁶ *Junub* is the term used to refer to a person who is in the state of ritual impurity (*janābah*). *Janābah* is explained in Ruling 344.

instead fast on another day].

Ruling 1591. With regard to obligatory or recommended fasts other than the fast of the month of Ramadan and their *qaḍā'*, if a *junub* intentionally remains in the state of *janābah* until the time of *ṣubḥ* prayers, he can fast on that day.

Ruling 1592. In the event that someone who is *junub* on a night of the month of Ramadan does not perform *ghusl* until the time remaining to *ṣubḥ* prayers becomes short, he must perform *tayammum* and keep the fast and his fast is valid.

Ruling 1593. If a *junub* in the month of Ramadan forgets to perform *ghusl* and remembers after one day, he must keep a *qaḍā'* fast for that day; and if he remembers after a few days, he must keep a *qaḍā'* fast for all the days that he is certain to have been *junub* on. For example, if he does not know whether he was *junub* for three or four days, he must keep *qaḍā'* fasts for three days.

Ruling 1594. If on a night of the month of Ramadan someone knows that he will not have time to perform *ghusl* or *tayammum* and yet intentionally becomes *junub*, his fast is invalid and *qaḍā'* and *kaffārah* become obligatory on him [i.e. he must keep a fast after Ramadan and also give recompense].

Ruling 1595. If someone knows that he does not have time to perform *ghusl* and intentionally becomes *junub* and then performs *tayammum*, or, if despite having time, he intentionally delays performing *ghusl* until the time becomes short and then performs *tayammum*, in these cases, although he commits a sin his fast is valid.

Ruling 1596. If someone who is *junub* on a night of the month of Ramadan knows that if he goes to sleep he will not wake up until the time of *ṣubḥ* prayers, then as an obligatory precaution, he must not go to sleep without performing *ghusl*; and in the event that he chooses to go to sleep before performing *ghusl* and does not wake up until the time of *ṣubḥ* prayers, he must complete the fast of that day and *qaḍā'* and *kaffārah* become obligatory on him.

Ruling 1597. Whenever a *junub* goes to sleep on a night of the month of Ramadan, if when he wakes up he deems it probable that were he to go to sleep again he would wake up before the time of *ṣubḥ* prayers, he can go to sleep [without performing *ghusl*].

Ruling 1598. If someone is *junub* on a night of the month of Ramadan and is certain or confident that if he goes to sleep he will wake up before the time of *ṣubḥ* prayers, in the event that he decides to perform *ghusl* after waking up and goes to sleep with this decision, but he remains asleep until the time of *ṣubḥ* prayers, his fast is valid.

Ruling 1599. If someone is *junub* on a night of the month of Ramadan and is not confident that if he goes to sleep he will wake up before the time of *ṣubḥ* prayers, in the event that he is unmindful of the fact that he must perform *ghusl* after waking up, and he goes to sleep and remains asleep until the time of *ṣubḥ* prayers, then based on precaution, *qaḍā'* becomes obligatory on him.

Ruling 1600. If someone is *junub* on a night of the month of Ramadan and is certain or deems it probable that if he goes to sleep he will wake up before the time of *ṣubḥ* prayers, and if he wakes up but does not want to perform *ghusl*, and he goes back to sleep and does not wake up again before the time of *ṣubḥ* prayers, in such a case, he must complete the fast of that day and *qaḍā'* and *kaffārah* become obligatory on him. The same applies, based on obligatory precaution, if he is doubtful that he will perform *ghusl* after waking up.

Ruling 1601. If a *junub* on a night of the month of Ramadan goes to sleep, wakes up, and is then certain or deems it probable that if he sleeps again he will wake up before the time of *ṣubḥ* prayers, and he decides that he will perform *ghusl* after waking up, then, in the event that he goes to sleep again but does not wake up until the time of *ṣubḥ* prayers, he must keep a *qaḍā'* fast for the fast of that day. Furthermore, if he wakes up from the second sleep and goes back to sleep for a third time but does not wake up until the time of *ṣubḥ* prayers, he must keep a *qaḍā'* fast for the fast of that day; and based on recommended precaution, he should also give *kaffārah*.

Ruling 1602. A sleep in which a wet dream has taken place is

considered to be the first sleep. Therefore, if after waking up from this first sleep someone goes back to sleep and does not wake up until the time of *ṣubḥ* prayers, then as it was stated in the previous ruling, he must keep a *qaḍā'* fast for the fast of that day.

Ruling 1603. If someone who is fasting has a wet dream during the day, it is not obligatory on him to perform *ghusl* immediately.

Ruling 1604. Whenever someone in the month of Ramadan wakes up after the time of *ṣubḥ* prayers and finds that he has had a wet dream, then even if he knows that he had a wet dream before the time of *ṣubḥ* prayers, his fast is valid.

Ruling 1605. If someone who wants to keep a *qaḍā'* fast of Ramadan wakes up after the time of *ṣubḥ* prayers and finds that he has had a wet dream, and if knows that he had this wet dream before the time of *ṣubḥ* prayers, he can fast on that day with the intention of keeping a *qaḍā'* fast of the month of Ramadan.

Ruling 1606. If a woman's *ḥayḍ* or *nifās* stops on a night of the month of Ramadan before the time of *ṣubḥ* prayers and she intentionally does not perform *ghusl*, or, if her duty is to perform *tayammum* and she does not do so, she must complete the fast of that day and also keep a *qaḍā'* fast for that day. Furthermore, with regard to a *qaḍā'* fast of the month of Ramadan, if she intentionally does not perform *ghusl* or *tayammum* before the time of *ṣubḥ* prayers, then based on obligatory precaution, she cannot fast on that day.

Ruling 1607. If a woman whose *ḥayḍ* or *nifās* stops on a night of the month of Ramadan intentionally does not perform *ghusl* until the time before *ṣubḥ* prayers becomes too short to perform *ghusl*, she must perform *tayammum* and the fast of that day is valid.

Ruling 1608. If a woman's *ḥayḍ* or *nifās* stops before the time of *ṣubḥ* prayers in the month of Ramadan but she does not have time to perform *ghusl*, she must perform *tayammum*; however, it is not necessary for her to remain awake until the time of *ṣubḥ* prayers. The rule is the same for a *junub* in the event that his duty is to perform *tayammum*.

Ruling 1609. If a woman's *ḥayḍ* or *nifās* stops near the time of *ṣubḥ* prayers in the month of Ramadan but she does not have time to perform *ghusl* or *tayammum*, her fast is valid.

Ruling 1610. If a woman's *ḥayḍ* or *nifās* stops after the time of *ṣubḥ* prayers, she cannot fast on that day. Furthermore, if she experiences *ḥayḍ* or *nifās* during the day while she is fasting, then even if it is near the time of *maghrib* prayers, her fast is invalid.

Ruling 1611. If a woman forgets to perform *ghusl* for *ḥayḍ* or *nifās* and remembers after a day or after a few days, the fasts that she has kept are valid.

Ruling 1612. If a woman's *ḥayḍ* or *nifās* stops before the time of *ṣubḥ* prayers in the month of Ramadan but she is negligent in performing *ghusl* until the time of *ṣubḥ* prayers, and if in the short time remaining she does not perform *tayammum* either, then as it was mentioned previously, she must complete the fast of that day and keep a *qaḍā'* fast. However, in the event that she is not negligent – for example, she waits for the public bath to become accessible to women only [or, she cannot access the bathroom due to a legitimate reason] – then even if she sleeps three times and does not perform *ghusl* until the time of *ṣubḥ* prayers, her fast is valid provided that she is not negligent in performing *tayammum*.

Ruling 1613. If a woman has excessive *istiḥādah* and does not perform the *ghusls* in accordance with the laws of *istiḥādah* mentioned in Ruling 394, her fast is valid. Similarly, if a woman has medium *istiḥādah* and does not perform *ghusl*, her fast is valid.

Ruling 1614. Someone who has touched a corpse – i.e. he has brought a part of his own body into contact with the corpse – can fast without performing the *ghusl* for touching a corpse (*mass al-mayyit*). Furthermore, if one touches a corpse while fasting, his fast does not become invalid.

7. Applying enema⁷

Ruling 1615. Applying liquid enema – even if one is obliged to or for the purposes of treatment – invalidates a fast.

8. Vomiting

Ruling 1616. Whenever a fasting person intentionally vomits, his fast becomes invalid even if he vomited out of necessity or because of illness or suchlike. However, if he vomits unintentionally or involuntarily, there is no problem [and his fast remains valid].

Ruling 1617. If at night one eats something that he knows will cause him to vomit unintentionally during the day, his fast is valid.

Ruling 1618. If a fasting person feels sick and the cause of this is something natural [as opposed to him having made himself feel sick], then even if he can restrain himself from vomiting, it is not necessary for him to do so.

Ruling 1619. If a fly enters a fasting person's throat and goes down to such an extent that were he to then swallow it, it could not be called 'eating', it is not necessary for him to bring it out and his fast is valid. However, if the fly does not go down to that extent, he must bring it out even if this requires vomiting, unless vomiting is harmful or excessively difficult (*mashaqqah*) for him; and in the event that he does not vomit it but instead swallows it, his fast becomes invalid; similarly, if he brings it out by vomiting, his fast also becomes invalid.

Ruling 1620. If a person unintentionally swallows something and remembers that he is fasting before it reaches his stomach, and if it goes down to such an extent that were he to then make it enter his stomach it could not be called 'eating', it is not necessary for him to bring it out and his fast is valid.

Ruling 1621. If a person is certain that by burping, something will come out of his throat, and were he to burp it would be in a manner

⁷ The injection of water or other fluid into the large intestine by way of the rectum.
[Author]

that could be called 'vomiting', he must not burp intentionally. However, there is no problem [in him burping] if he is not certain about this.

Ruling 1622. If someone burps and something comes up in his throat or mouth, he must spit it out; and if he swallows it involuntarily, his fast is valid.

LAWS OF THINGS THAT INVALIDATE A FAST

Ruling 1623. If a person intentionally and voluntarily does something that invalidates a fast, his fast becomes invalid; and in the event that he does not do it intentionally, there is no problem [and his fast remains valid]. However, if a *junub* goes to sleep and – as per the details mentioned in Ruling 1600 – he does not perform *ghusl* until the time of *ṣubḥ* prayers, his fast is invalid. Furthermore, in the event that one does not know that some of the things mentioned previously invalidate a fast, and he has not been negligent in not knowing, and nor does he doubt [that a particular thing may invalidate his fast], or he trusts in something that is legally authoritative (*al-ḥujjah al-sharʿiyyah*) [for example, the statement of a reliable person], and he does that thing, in such a case, his fast does not become invalid except in the case of eating, drinking, and sexual intercourse.

Ruling 1624. If a fasting person inadvertently does something that invalidates a fast and with the belief that his fast has become invalid, he intentionally does one of those things again, then the rule in the previous ruling will apply to him.

Ruling 1625. If something is forced down a fasting person's throat, his fast does not become invalid. However, if he is forced to break his fast by eating, drinking, or having sexual intercourse – for example he is told, 'If you do not eat food, we will inflict some financial or physical harm on you' – and he eats something in order to prevent the harm from being inflicted, his fast becomes invalid. Furthermore, based on obligatory precaution, his fast also becomes invalid if he is forced to do any of the other things that invalidate a fast.

Ruling 1626. A fasting person must not go to a place where he knows something will be poured down his throat or where he will be forced to break his fast; and if he goes to such a place and he is compelled to do something that breaks his fast, his fast becomes invalid. The same applies, based on obligatory precaution, if something is poured down his throat.

THINGS THAT ARE DISAPPROVED (MAKRŪH) FOR A FASTING PERSON TO DO

Ruling 1627. Some things are disapproved for a fasting person to do, including:

1. putting medication in the eyes and applying collyrium in a way that the taste or smell of it reaches the throat;
2. doing anything that causes weakness, such as giving blood or taking a shower;
3. putting medication in the nose, if one does not know that it will reach the throat; and if one knows that it will reach the throat, it is not permitted;
4. smelling aromatic plants;
5. for women, to sit in water;
6. using a suppository;
7. making the clothes that are on the body wet;
8. having teeth extracted or doing anything that causes blood to come out of the mouth;
9. brushing the teeth with a wet piece of wood;
10. putting water or any other fluid in the mouth without due cause;
11. immersing the entire head in water.

It is also disapproved for someone to kiss his wife or to do something that arouses him without intending to ejaculate.

TIMES WHEN IT IS OBLIGATORY (WĀJIB) TO BOTH MAKE UP (QAḌĀ') AND GIVE RECOMPENSE (KAFFĀRAH)

Ruling 1628. If someone invalidates a fast of the month of Ramadan by eating, drinking, having sexual intercourse, masturbating, or remaining in the state of *janābah* until the time of *ṣubḥ* prayers, in the event that he did one of these things intentionally and voluntarily – and he was not compelled and forced to – then as well as *qaḍā'*, *kaffārah* also becomes obligatory on him [i.e. he must keep a fast after Ramadan and also give recompense]. As for someone who invalidates a fast by means other than those mentioned, the recommended precaution is that in addition to *qaḍā'*, he should also give *kaffārah*.

Ruling 1629. If someone performs one of the things mentioned [in the previous ruling] while believing with certainty that it would not invalidate his fast, *kaffārah* is not obligatory on him. The same applies to someone who does not know that fasting is obligatory on him, such as a child in the early stages of legal responsibility (*bulūgh*).

RECOMPENSE (KAFFĀRAH) OF A FAST

Ruling 1630. The *kaffārah* for breaking a fast (*iftār*) unlawfully in the month of Ramadan is that the person must free a slave, or fast for two months in accordance with the instructions that will be mentioned in the next ruling, or feed sixty poor people or give each one of them a *mudd* – which is approximately 750 grams – of food, i.e. wheat, barley, bread, or suchlike. In the event that none of these are possible for the person, he must give charity to the extent that he can. If this is not possible either, he must seek forgiveness from Allah; and the obligatory precaution is that he must give *kaffārah* whenever he is able to.

Ruling 1631. Someone who wants to fast for two months for the *kaffārah* of the month of Ramadan must fast one complete month and one day from the next month continuously; and similarly, based on obligatory precaution, he must fast the rest of the next month continuously;

and if an obstacle arises that would commonly be considered to be a legitimate excuse, he does not have to fast that particular day, and once his legitimate excuse expires he must resume his fasts.

Ruling 1632. Someone who wants to fast for two months for the *kaffārah* of a fast of Ramadan must not start at a time when he knows a day on which fasting is unlawful – such as Eid al-Aḍḥā⁸ – will fall within the one month and one day period, nor must he fast at a time when he knows a day on which fasting is obligatory [such as a day that he had assigned in a vow] will fall within that period.

Ruling 1633. If someone who must fast continuously does not fast one of the days without a legitimate excuse, he must start the *kaffārah* fasts all over again.

Ruling 1634. If during the days that someone must fast continuously a legitimate excuse arises – such as *ḥayḍ*, *nifās*, or a journey on which he has to go – then once the excuse expires, it is not obligatory on him to start the fasts all over again; rather, he will continue the rest of the fasts after the excuse has expired.

Ruling 1635. If a person invalidates his fast by means of something unlawful – whether that thing is fundamentally unlawful, like wine or adultery; or something that has become unlawful due to a particular reason, like eating lawful food that is in a general sense harmful for him, or having intercourse with his wife when she is in the state of *ḥayḍ* – in these cases, giving one *kaffārah* is sufficient. However, the recommended precaution is that he should give the ‘total *kaffārah*’, i.e. free one slave, fast for two months, and feed sixty poor people or give each one of them one *mudd* of wheat, barley, bread, or suchlike. In the event that all three are not possible for him, he should do the ones that are possible for him.

Ruling 1636. If a fasting person intentionally attributes a lie to Allah, Prophet Muḥammad (S), [or the Twelve Imams (‘A)], it is not obligatory on him to give *kaffārah*. However, the recommended precaution is that he should give *kaffārah*.

⁸ The 10th of Dhū al-Ḥijjah.

Ruling 1637. If on several occasions on a day of the month of Ramadan a person eats, drinks, has sexual intercourse, or masturbates, giving one *kaffārah* is sufficient for all of them.

Ruling 1638. If a fasting person does something that invalidates a fast – other than having sexual intercourse or masturbating – and afterwards he has sexual intercourse with his lawful partner, then giving one *kaffārah* is sufficient for both actions.

Ruling 1639. If a fasting person does something that is lawful but which invalidates a fast – for example, he drinks water – and afterwards he does something else that is unlawful and which invalidates a fast – for example, he eats unlawful food – then giving one *kaffārah* is sufficient.

Ruling 1640. If a fasting person burps and something comes up in his mouth, then based on obligatory precaution, if he intentionally swallows it, his fast is invalid and he must keep a *qaḍā'* fast and give *kaffārah*. And if eating that thing is unlawful – for example, when burping, blood or some food-like substance that has lost the form of food reaches his mouth and he intentionally swallows it – it is better that he gives the 'total *kaffārah*' [as defined in Ruling 1635].

Ruling 1641. If someone keeps a vow that he will fast on an assigned day, in the event that he intentionally invalidates his fast on that day, he must give *kaffārah*. The *kaffārah* for this will be mentioned in the laws relating to vows.

Ruling 1642. If a fasting person breaks his fast based on the statement of someone who says it is *maghrib*, despite the fact that he was not confident in the statement being true, and afterwards he finds out that it was not *maghrib*, or, if afterwards he doubts whether it is *maghrib* or not [but still breaks his fasts], in these cases, *qaḍā'* and *kaffārah* become obligatory on him; and if he was of the belief that the person's statement is authoritative, only *qaḍā'* is necessary.

Ruling 1643. If someone intentionally invalidates his fast and travels after *zuhr*, *kaffārah* is not waived. Similarly, if he intentionally invalidates his fast and then travels before *zuhr* in order to escape *kaffārah*

[i.e. if he thinks that by being considered a traveller that day, he will have a legitimate excuse for not fasting and so he will not have to give *kaffārah* for intentionally invalidating his fast], again *kaffārah* is not waived. In fact, even if it becomes necessary for him to travel before *zuhr*, *kaffārah* remains obligatory on him.

Ruling 1644. If a person intentionally breaks his fast and afterwards a legitimate excuse arises – such as *ḥayḍ*, *nifās*, or an illness – the recommended precaution is that he should give *kaffārah*, especially if some medication or other such means brought about the *ḥayḍ* or illness.

Ruling 1645. If a person is certain that it is the first day of the month of Ramadan and he intentionally invalidates his fast, and afterwards it becomes known that it was actually the last day of Shaʿbān, *kaffārah* is not obligatory on him.

Ruling 1646. If a person doubts whether it is the last day of Ramadan or the first of Shawwāl and he intentionally invalidates his fast, and afterwards it becomes known that it was the first of Shawwāl, *kaffārah* is not obligatory on him.

Ruling 1647. If a fasting man in the month of Ramadan has sexual intercourse with his wife who is fasting, in the event that he had compelled his wife to do so, he must give *kaffārah* for invalidating his fast; and based on obligatory precaution, he must give *kaffārah* for invalidating his wife's fast as well; and if his wife consented to having sexual intercourse, one *kaffārah* becomes obligatory on each of them.

Ruling 1648. If a woman compels her fasting husband to have sexual intercourse with her, it is not obligatory on her to give *kaffārah* for invalidating her husband's fast.

Ruling 1649. If a fasting man in the month of Ramadan compels his wife to have sexual intercourse with him and during the intercourse his wife consents, one *kaffārah* becomes obligatory on each of them; and the recommended precaution is that the man should give two *kaffārahs*.

Ruling 1650. If a fasting man in the month of Ramadan has sexual intercourse with his fasting wife while she is asleep, one *kaffārah* becomes obligatory on him. Furthermore, the fast of his wife is valid and *kaffārah* is not obligatory on her.

Ruling 1651. If a man compels his wife or a wife compels her husband to do something that invalidates a fast – other than having sexual intercourse – *kaffārah* is not obligatory on either of them.

Ruling 1652. A man who does not fast due to travelling or illness cannot compel his fasting wife to have sexual intercourse with him; however, if he does compel her, *kaffārah* is not obligatory on him.

Ruling 1653. One must not be negligent in giving *kaffārah*; however, it is not necessary to give it immediately.

Ruling 1654. If *kaffārah* becomes obligatory on someone and he does not give it for a few years, nothing is added to it.

Ruling 1655. If someone who must feed sixty poor people as the *kaffārah* for one day has access to all sixty people, he cannot reduce the number of poor people to feed even if he gives the same amount of *kaffārah*. For example, he cannot give two *mudds* to thirty people and suffice with that. He can, however, give a poor person one *mudd* of food for each of the poor person's family members even if they are minors (*ṣaghīr*) and the poor person accepts this by way of agency (*wikālah*) for his family, or by way of guardianship (*wilāyah*) if they are minors. And if he cannot find sixty poor people but, for example, he finds thirty people, he can give two *mudds* of food to each of them. However, based on obligatory precaution, whenever he can he must give one *mudd* of food to another thirty poor people.

Ruling 1656. If after *zuhr* someone who is keeping a *qaḍā'* fast of Ramadan intentionally does something that invalidates his fast, he must give one *mudd* of food to ten poor people, and if he cannot, he must fast for three days.

TIMES WHEN IT IS OBLIGATORY (WĀJIB) TO ONLY MAKE UP (QAḌĀ') A FAST

Ruling 1657. In some cases – other than those that were indicated previously – only *qaḍā'* is obligatory on a person and *kaffārah* is not obligatory:

1. one is *junub* on a night of the month of Ramadan and – as per the details mentioned in Ruling 1601 – he does not wake up from the second sleep until the time of *ṣubḥ* prayers;
2. one does not do anything that invalidates a fast but does not make the intention to fast, or pretends to fast, or intends not to fast; and the same applies if he intends to do something that invalidates a fast, as per the details explained in Ruling 1549;
3. in the month of Ramadan, one forgets to perform *ghusl* of *janābah* and in the state of *janābah* he fasts one day or several days;
4. in the month of Ramadan, one does not investigate whether or not the time for *ṣubḥ* prayers has set in and does something that invalidates a fast, and afterwards it becomes known that the time of *ṣubḥ* prayers had set in;
5. someone says the time of *ṣubḥ* prayers has not set in, and based on his statement one does something that invalidates a fast, and afterwards it becomes known that the time of *ṣubḥ* prayers had set in;
6. someone says it is *ṣubḥ* but a fasting person does not have certainty about the validity of the person's statement, or he thinks that the person who made the statement is joking, and he does not investigate, and he does something that invalidates a fast, and afterwards it becomes known that it really was *ṣubḥ*;
7. one breaks his fast based on the statement of someone whose statement is legally (*shar'an*) authoritative for him [for example, someone whose word he trusts] who tells him it is *maghrib* – or he mistakenly believes that his report is authoritative – and afterwards it becomes known that it was not *maghrib*;
8. one is certain or confident that it is *maghrib* and breaks his fast, and afterwards it becomes known that it was not *maghrib*. However, if he breaks his fast because the weather was cloudy

that day and suchlike, and he supposed it had become *maghrib*, and afterwards it becomes known that it was not *maghrib*, the obligation of *qada'* in this instance is based on obligatory precaution;

9. someone who gargles – i.e. he circulates water in his mouth – due to thirst and unintentionally swallows the water. However, if the person forgets that he is fasting and swallows the water, or, he gargles for reasons other than thirst – as in cases when gargling is recommended, such as in *wuḍū'* – and he unintentionally swallows the water, then there is no obligation on him to keep a *qada'* fast;
10. someone who breaks his fast due to compulsion, necessity, or *taqiyyah*,⁹ and if he breaks his fast due to compulsion or *taqiyyah*, then *qada'* is due only if he was required to eat, drink, or have sexual intercourse. The same applies, based on obligatory precaution, if he was required to break his fast by means other than eating, drinking, or having sexual intercourse.

Ruling 1658. If a person puts something other than water in his mouth and unintentionally swallows it, or, if he puts water in his nose and unintentionally swallows it, *qada'* is not obligatory on him.

Ruling 1659. Gargling a lot is disapproved for a fasting person, and if after gargling one wants to swallow his saliva, it is better to spit out the saliva three times [before swallowing].

Ruling 1660. If a person knows that by gargling, water will unintentionally or forgetfully enter his throat, he must not gargle; however, if in this case he does gargle but water does not enter his throat, then based on obligatory precaution, *qada'* is necessary.

Ruling 1661. If in the month of Ramadan, after investigating, it is not known to someone that the time of *ṣubḥ* prayers has set in, and he does something that invalidates a fast, and afterwards it becomes known that it was *ṣubḥ*, *qada'* is not necessary.

Ruling 1662. One cannot break his fast if he merely doubts whether

⁹ *Taqiyyah* refers to the discretionary concealment of one's beliefs under duress.

it is *maghrib* or not. However, if one doubts whether it is *ṣubḥ* or not, he can do something that invalidates a fast even before investigating.

LAWS OF A LAPSED (QAḌĀ') FAST

Ruling 1663. If an insane person becomes sane, it is not obligatory on him to make up the fasts that he did not keep when he was insane.

Ruling 1664. If a disbeliever becomes a Muslim, it is not obligatory on him make up the fasts that he did not keep when he was a disbeliever. However, if a Muslim becomes a disbeliever and then becomes a Muslim again, he must make up the fasts that he did not keep while he was a disbeliever.

Ruling 1665. One must make up a fast that he did not keep due to intoxication, even if he consumed the intoxicating thing for the purposes of treatment.

Ruling 1666. If someone does not fast for a few days due to a legitimate excuse and afterwards doubts when his excuse expired, it is not obligatory on him to fast more days than what he deems probable as having missed. For example, someone who travelled before the month of Ramadan and who does not know whether he returned on the fifth of Ramadan or the sixth; or, he travelled in the last few days of the month of Ramadan and returned after Ramadan but does not know whether he travelled on the twenty-fifth of Ramadan or the twenty-sixth; in both cases, he can keep *qaḍā'* fasts for the lower figure – i.e. five days – although the recommended precaution is that he should keep *qaḍā'* fasts for the higher figure, i.e. six days.

Ruling 1667. If someone has *qaḍā'* fasts left over from a number of previous Ramadans, it does not matter which Ramadan he keeps *qaḍā'* fasts for first. However, if the time for the *qaḍā'* of the last Ramadan is short – for example, he has to keep five *qaḍā'* fasts from the last month of Ramadan and only five days remain until the beginning of the next Ramadan – it is better that he keeps the *qaḍā'* fasts for the last Ramadan first.

Ruling 1668. If a person has to keep *qaḍā'* fasts for a number of Ramadans and he does not specify in his intention which month of Ramadan he is keeping a *qaḍā'* fast for, it will not be regarded as the *qaḍā'* fast for the last year such that the *kaffārah* for delaying its *qaḍā'* be waived.¹⁰

Ruling 1669. One can invalidate the *qaḍā'* fast of Ramadan before *zuhr*. However, if the number of days left for him to keep his *qaḍā'* fasts [before the start of Ramadan] are few, it is better that he does not invalidate them.

Ruling 1670. If a person has kept a *qaḍā'* fast for a dead person, it is better that he does not invalidate it after *zuhr*.

Ruling 1671. If someone does not fast in Ramadan due to illness, *ḥayḍ*, or *nifās*, and he dies before the passing of a period of time in which he could have made up those fasts, then those fasts do not have to be made up.

Ruling 1672. If due to illness one does not fast in Ramadan and his illness continues until the Ramadan of the following year, it is not obligatory on him to make up the fasts he did not keep; and for each day he must give one *mudd* (approximately 750 grams) of food – i.e. wheat, barley, bread, or suchlike – to a poor person.¹¹ However, if one does not fast because of another legitimate excuse – for example, he was travelling – and his excuse remains valid until the following Ramadan, he must make up the fasts that he did not keep; and the obligatory precaution is that for each day, he must also give one *mudd* of food to a poor person.

Ruling 1673. If due to illness one does not fast in Ramadan, and after Ramadan his illness is cured but another legitimate excuse arises such that he cannot make up the fasts until the following Ramadan, he must make up the fasts he did not keep; and based on obligatory precaution, he must also give one *mudd* of food to a poor person for every missed fast. The same applies if in the month of Ramadan one has another legitimate excuse – other than illness – and after

¹⁰ See Ruling 1678.

¹¹ This type of compensative payment is known as *fiḍyah*.

Ramadan that excuse expires and until the Ramadan of the following year he cannot fast due to illness.

Ruling 1674. If in the month of Ramadan one does not fast due to a legitimate excuse and after Ramadan that excuse expires but he intentionally does not make up the fasts until the following Ramadan, he must make them up and also give one *mudd* of food to a poor person for each day.

Ruling 1675. If a person is negligent in keeping *qaḍā'* fasts until the time [before the next Ramadan] becomes short, and in the shortage of time a legitimate excuse arises, he must make them up; and based on obligatory precaution, he must also give one *mudd* of food to a poor person for each day; and the same applies if after the excuse expires he decides to make up his fasts but before he does so, a legitimate excuse arises in the short time [remaining before Ramadan].

Ruling 1676. If a person's illness continues for some years, he must make up the fasts for the last Ramadan after he gets better; and for each missed day of the previous years, he must give one *mudd* of food to a poor person.

Ruling 1677. Someone who must give one *mudd* of food to a poor person for each missed fast can give the *kaffārah* of several days to one poor person.

Ruling 1678. If a person delays keeping the *qaḍā'* fasts of the month of Ramadan for a few years, he must make them up; and for the first year's delay, he must give one *mudd* of food to a poor person for each missed fast [as *kaffārah*]; however, for the delay in the later years, there is no obligation on him.¹²

Ruling 1679. If a person intentionally does not keep the fast of Ramadan, he must make them up; and for each missed fast he must fast for two months, or give food to sixty poor people, or free one slave; and in the event that he does not make them up until the next

¹² For example, if someone has to make up one fast and he delays making it up for three years, he must give one *kaffārah* [i.e. one *mudd* of food] to a poor person, not three *kaffārahs*.

Ramadan, then based on obligatory precaution, he must also give one *mudd* of food as *kaffārah*.

Ruling 1680. If a person intentionally does not keep a fast of Ramadan, and in the day he repeatedly has sexual intercourse or masturbates, *kaffārah* is not repeated. Similarly, if one does something else that invalidates a fast a number of times – for example, he eats food a number of times – then giving one *kaffārah* is sufficient.

Ruling 1681. After a father's death, the eldest son must, based on obligatory precaution, keep his father's *qaḍā'* fasts of the month of Ramadan as per the details mentioned in Ruling 1370 concerning prayer. Instead of fasting each day, he can give 750 grams of food to a poor person even from the property of the deceased if the heirs consent to it.

Ruling 1682. If a father had not kept obligatory fasts other than the fasts of Ramadan – for example, he had not kept a fast that had become obligatory on account of a vow – or, if he had been hired to fast on behalf of someone else but had not done so, it is not obligatory on the eldest son to make up such fasts.

LAWS OF FASTING FOR A TRAVELLER

Ruling 1683. A traveller must not fast if his obligation on a journey is to perform the four unit (*rak'ah*) prayers as two *rak'ahs* [i.e. in *qaṣr* form]. A traveller who performs his prayer in its complete (*ṭamām*) form – such as someone whose work is travelling, or someone whose journey is a sinful one – must fast on his journey.

Ruling 1684. Travelling during the month of Ramadan is not forbidden. However, travelling in order to escape fasting is disapproved. Similarly, travelling in general in the month of Ramadan is disapproved except for '*umrah*'¹³ or because of necessity.

Ruling 1685. If an assigned [i.e. time-specific] fast – other than the fast

¹³ '*Umrah* refers to the pilgrimage to Mecca that has fewer rituals than the hajj pilgrimage. It is sometimes referred to as the 'minor pilgrimage'.

of the month of Ramadan – is obligatory on a person, in the event that it has become obligatory because he has been hired by someone to fast and suchlike, or it is the third fast of the days of spiritual retreat (*i'tikāf*),¹⁴ he cannot travel on that day; and if he is on a journey and it is possible, he must make an intention to stay in a place for ten days and fast on that day. However, if the fast of that day has become obligatory on account of a vow, the apparent (*zāhir*)¹⁵ ruling is that travelling is permitted on that day and it is not obligatory to make an intention to stay, although it is better not to travel if one is not obliged to, and if he is on a journey it is better to make an intention to stay. However, if it has become obligatory on account of an oath (*qasam*) or a covenant (*'ahd*), then based on obligatory precaution, one must not travel, and if he was on a journey, he must make an intention to stay.

Ruling 1686. If a person makes a vow to keep a recommended fast but does not assign the day, he cannot keep that fast on a journey. However, in the event that one makes a vow that he will fast on a particular day on a journey, he must keep that fast on a journey. Furthermore, if one makes a vow to fast on a particular day whether he is travelling or not, he must fast on that day even if he is travelling.

Ruling 1687. A traveller can keep recommended fasts in Medina for three days for the fulfilment of wishes [i.e. for particular needs (*hājāt*) of his to be granted]; and the obligatory precaution is for those three days to be Wednesday, Thursday, and Friday.

Ruling 1688. If someone who does not know that a traveller's fast is invalid fasts on a journey and finds out the ruling during the day, his fast becomes invalid; and if he does not find out until *maghrib*, his fast is valid.

Ruling 1689. If a person forgets that he is a traveller or that a traveller's fast is invalid and fasts on a journey, then based on obligatory precaution, his fast is invalid.

¹⁴ *I'tikāf* refers to the act of staying in a mosque under particular conditions with the intention of worshipping Allah. The laws of *i'tikāf* are stated in the next chapter.

¹⁵ For practical purposes in jurisprudential rulings, expressing an apparent ruling equates to giving a fatwa.

Ruling 1690. If a fasting person travels after *zuhr*, he must, based on obligatory precaution, complete his fast; and in such a case, it is not necessary for him to make up that fast; and if he travels before *zuhr*, then based on obligatory precaution, he cannot fast on that day, particularly if he had made the intention to travel the night before. In any case, he must not do anything that invalidates a fast before reaching the permitted limit (*ḥadd al-tarakhkhus*),¹⁶ otherwise *kaffārah* becomes obligatory on him.

Ruling 1691. If a traveller in the month of Ramadan – whether he travelled before sunrise or he was fasting and then travelled – reaches his home town (*waṭan*)¹⁷ or a place where he intends to stay for ten days before *zuhr*, in the event that he did not do anything that invalidates a fast before reaching that place, he must, based on obligatory precaution, fast on that day and it is not obligatory on him to make it up; and if he did something that invalidates a fast before reaching that place, the fast of that day is not obligatory on him and he must make it up.

Ruling 1692. If a traveller reaches his home town or a place where he intends to stay for ten days after *zuhr*, then based on obligatory precaution, his fast is invalid and he must make it up.

Ruling 1693. It is disapproved for a traveller, and indeed anyone who has a legitimate excuse for not fasting, to have sexual intercourse or to eat and drink to his full during the day in the month of Ramadan.

THOSE ON WHOM FASTING IS NOT OBLIGATORY (*WĀJIB*)

Ruling 1694. Fasting is not obligatory on someone who cannot fast on account of old age or who finds it excessively difficult to fast. However, in the latter case, for each day [that he does not fast] he must give one *mudd* of food – i.e. wheat, barley, bread, or suchlike – to a poor person.

¹⁶ The permitted limit is explained in Ruling 1304.

¹⁷ Rulings 1314–1318 explain what is legally considered to be one's home town.

Ruling 1695. If someone who has not fasted on account of old age is able to fast after the month of Ramadan, the recommended precaution is that he should make up the fasts that he did not keep.

Ruling 1696. If someone has an illness that makes him very thirsty and he cannot bear being thirsty, or it is excessively difficult for him to bear it, then fasting is not obligatory on him. However, in the second case, he must give one *mudd* of food to a poor person for each missed fast; and in the event that he is able to fast afterwards, it is not obligatory on him make them up.

Ruling 1697. Fasting is not obligatory on a pregnant woman approaching the time of delivery if it is harmful for her or for the unborn child. Such a woman must give one *mudd* of food to a poor person for each missed fast, and she must make up the fasts she did not keep.

Ruling 1698. If fasting is harmful for a woman who is breastfeeding her child and who has little milk – whether she is the child's mother or wet nurse, or someone who is breastfeeding the child without getting paid – or, if fasting is harmful for the child that she is breastfeeding, it is not obligatory on her to fast and she must give one *mudd* of food to a poor person for each missed fast and she must make up the fasts she did not keep. However, based on obligatory precaution, this rule only applies to the case where giving milk to the child is limited to this way. Therefore, if there is another way of giving milk to the child – for example, a number of women participate in breastfeeding the child, or the child is fed with the aid of a bottle – then affirming this rule is problematic (*maḥall al-ishkāl*) [i.e. based on obligatory precaution, it is not permitted for such a woman to not fast].¹⁸

WAYS OF ESTABLISHING THE FIRST OF THE MONTH

Ruling 1699. The first of the month is established in four ways:

1. a person sees the moon himself;

¹⁸ As mentioned in Ruling 6, the term 'problematic' (*maḥall al-ishkāl*) amounts to saying the ruling is based on obligatory precaution.

2. a group of people from whose statement one derives certainty or confidence say that they have seen the moon. Similarly, [the first of the month is established] by means of anything that one derives certainty from, or a rational source that one derives confidence from;
3. two just (*ʿādil*) men say that they have seen the moon at night. However, if they describe attributes of the crescent that contradict one another, the first of the month is not established. Similarly, the first of the month is not established by the testimony of two just men if one is certain or confident about them having made a mistake, or if their testimony is affected by a countervailing argument (*muʿārid*), or by something that comes under the rule of a countervailing argument. For example, if a large group of the city's people go to sight the moon but no more than two just people claim to have sighted the moon; or, if a group of people go to sight the moon and two just people from among them claim to have sighted the moon and others do not sight it, while amongst those others there are two other just people who are as good in knowing the position of the crescent and are as sharp-sighted as the first two just people, and furthermore, the sky is clear and for those two there is no probable obstacle to seeing the moon; in these cases, the first of the month is not established by the testimony of two just people;
4. thirty days from the first of the month of Shaʿbān pass, by means of which the first of the month of Ramadan is established; and thirty days from the first of the month of Ramadan pass, by means of which the first of the month of Shawwāl is established.

Ruling 1700. The first of the month is not established by the ruling of a fully qualified jurist (*al-ḥākim al-sharʿī*) unless by means of his ruling, or the first of the month being established in his view, one derives confidence in the moon having been sighted.

Ruling 1701. The first of the month is not established by the predictions of astronomers unless one derives certainty or confidence from their statements.

Ruling 1702. The moon being high or setting late is no evidence that the night before was the first night of the month. Similarly, if the moon has a halo, it is no evidence that it is the second night.

Ruling 1703. If the month of Ramadan is not established for someone and he does not fast, and afterwards it is established that the previous night was the first of the month, he must make up the fast for that day.

Ruling 1704. If the first of the month is established in a city, the first of the month will also be established in other cities that are united with it in the horizon. The meaning of 'unity of horizon' here is that if the moon is seen in the first city, it would also be seen in the second city if there were no obstacles, such as clouds. This brings about confidence in the case where the second city – if it is to the west of the first city – has a latitudinal position close to that of the first city; and if it is to the east of the first city, then in addition to closeness in latitudinal position, there must not be a large difference in the longitudinal position either.

Ruling 1705. If a person does not know whether it is the last day of Ramadan or the first of Shawwāl, he must fast on that day. However, if during the day he finds out that it is the first of Shawwāl, he must break his fast.

Ruling 1706. If a prisoner cannot be certain about whether or not it is the month of Ramadan, he must act according to his supposition. However, if he can find a stronger supposition, he cannot act on the weaker supposition and he must endeavour to attain the strongest probability; and if there is no other way, he must as a final resort draw lots (*qur'ah*) if this results in strengthening his inclination; and if acting according to supposition is not possible, he must fast a month that he deems is probably the month of Ramadan. However, he must bear that month in mind and in the event that he finds out afterwards that it was indeed the month of Ramadan, or it was after it, there is no obligation on him. However, if it becomes known that it was before the month of Ramadan, he must make up the fasts of the month of Ramadan.

UNLAWFUL (ḤARĀM) AND DISAPPROVED (MAKRŪH) FASTS

Ruling 1707. Fasting on Eid al-Fiṭr¹⁹ and Eid al-Aḍḥā²⁰ is unlawful. Furthermore, if one does not know whether it is the last day of Shaʿbān or the first day of Ramadan and fasts with the intention of it being the first day of Ramadan, it is unlawful.

Ruling 1708. If a recommended fast of a woman conflicts with the conjugal rights of her husband, it is unlawful for her to keep it. Similarly, with regard to a fast that is obligatory but the day on which it must be kept has not been assigned – for example, a vow that [has been made to keep a fast, but the day of the fast] has not been assigned – if it conflicts with the conjugal rights of her husband, then based on obligatory precaution, the fast is invalid and it does not fulfil the vow. The same applies, based on obligatory precaution, if her husband forbids her to keep a recommended fast or an obligatory fast for which a day has not been assigned even if it does not conflict with his rights. And the recommended precaution is that she should not keep a recommended fast without his permission.

Ruling 1709. If a recommended fast kept by a child is a source of annoyance for his father or mother due to their compassion for him, it is unlawful for the child to keep it.

Ruling 1710. If a child keeps a recommended fast without the permission of his father or mother and during the day his father or mother forbid him to continue keeping his fast, in the event that the child's opposition may annoy the parent due to the parent's compassion for his or her child, the child must break his fast.

Ruling 1711. Someone who knows fasting will not cause him significant harm – even though a doctor says it is harmful for him to fast – must fast; and someone who is certain or supposes that fasting will cause him significant harm – even though a doctor says that it will not harm him – is not obliged to fast.

¹⁹ The 1st of Shawwāl.

²⁰ The 10th Dhū al-Ḥijjah.

Ruling 1712. If a person is certain or confident that fasting will cause him significant harm, or he deems this probable, and the probability creates fear in him, in the event that his deeming it probable would be considered by rational people to be reasonable, it is not obligatory on him to fast. In fact, if that harm would result in him dying or losing a limb, then fasting is unlawful; otherwise, if he fasts with the intention of *rajā'* and afterwards he realises that it did not cause him any significant harm, his fast is valid.

Ruling 1713. If someone who believes that fasting does not harm him fasts and after *maghrib* he finds out that fasting has caused him significant harm, then based on obligatory precaution, he must make it up.

Ruling 1714. Apart from the fasts mentioned here, there are other unlawful fasts that are mentioned in more detailed books.

Ruling 1715. Fasting is disapproved on the Day of 'Āshūrā²¹ and on the day that one doubts whether it is the Day of 'Arafah²² or Eid al-Aḏḥā.²³

RECOMMENDED (MUSTAḤABB) FASTS

Ruling 1716. Fasting on any day of the year – apart from the days on which fasting is unlawful or disapproved, which were mentioned previously – is recommended; and it has been recommended more to fast on some days, such as:

1. the first and last Thursday of each month, and the first Wednesday after the tenth of the month; and if someone does not fast on these days, it is recommended that he makes them up; and in the event that one cannot fast at all [on these days], it is recommended that he gives for each day one *mudd* of food

²¹ The 10th of Muḥarram.

²² The 9th of Dhū al-Ḥijjah.

²³ The 10th of Dhū al-Ḥijjah.

- or 12.6 *nukhuds*²⁴ of minted silver²⁵ to a poor person;
2. the 13th, 14th, and 15th of each month;
 3. the entire month of Rajab and Sha‘bān, or at least some days of these two months, even if only one day;
 4. the Eid of Nawrūz;²⁶
 5. from the 4th to the 9th of Shawwāl;
 6. the 25th and 29th of Dhū al-Qa‘dah;
 7. from the 1st to the 9th of Dhū al-Ḥijjah (until and including the Day of ‘Arafah); however, if due to weakness from fasting one cannot recite the supplications (*du‘ā’s*) of the Day of ‘Arafah, then fasting on that day is disapproved;
 8. the auspicious day of Eid al-Ghadīr (the 18th of Dhū al-Ḥijjah);
 9. the day of Mubāhalah (the 24th of Dhū al-Ḥijjah);
 10. the 1st, 3rd, and 7th of Muḥarram;
 11. the joyous birthday of the Noble Messenger (ﷺ) (the 17th of Rabī‘ al-Awwal);
 12. the 15th of Jamādī al-Awwal;
 13. the day of Maba‘th of His Eminence the Noble Messenger (ﷺ) (the 27th of Rajab).

If someone keeps a recommended fast, it is not obligatory on him to complete it. In fact, if a fellow believer invites him to eat, it is recommended for him to accept the invitation and to break his fast during the day, even if it is after *zuhr*.

TIMES WHEN IT IS RECOMMENDED (*MUSTAḤABB*) FOR ONE TO ABSTAIN FROM THINGS THAT INVALIDATE A FAST

Ruling 1717. It is recommended for five types of people – even if they are not fasting – to abstain from things that invalidate a fast in the month of Ramadan:

²⁴ A *nukhud* is a measure of weight equal to approximately 0.195 grams. Therefore, 12.6 *nukhuds* is equivalent to approximately 2.46 grams.

²⁵ In the present time, when minted silver is not prevalent, the silver does not have to be minted (*Tawḍīḥ al-Masā’il-i Jāmi‘*, vol. 1, p. 587, Ruling 2122).

²⁶ The day of the spring equinox.

1. a traveller who has done something that invalidates a fast and who reaches his home town or a place where he intends to stay for ten days before *zuhr*;
2. a traveller who after *zuhr* reaches his home town or a place where he intends to stay for ten days;
3. a sick person who gets better after *zuhr*, and similarly, if he gets better before *zuhr* and has done something that invalidates a fast. And in case he has not done anything that invalidates a fast, then based on obligatory precaution, he must fast on that day;
4. a woman whose *ḥayḍ* or *nifās* stops during the day;
5. a disbeliever who becomes a Muslim and who had done something that invalidates a fast before becoming a Muslim.

Ruling 1718. It is recommended for a fasting person to perform *maghrib* and '*ishā*' prayers before breaking his fast. However, if someone is waiting for him or he is very drawn to food – such that he cannot pray with presence of heart – it is better that he first breaks his fast. However, as much as he possibly can, he should perform the prayers within their prime time (*waqt al-faḍīlah*).²⁷

²⁷ This refers to the early period of the prescribed time for a prayer during which there is more reward for performing it.

CHAPTER FIVE

Spiritual Retreat (*I'tikāf*)

Ruling 1719. *I'tikāf* is one of the recommended (*mustahabb*) ritual acts of worship (*'ibādāt*) that becomes obligatory (*wājib*) by means of a vow (*nadhr*), covenant (*'ahd*), oath (*qasam*), or suchlike. A valid *i'tikāf* is when one stays in a mosque with the intention of attaining proximity to Allah (*qaṣd al-qurbah*); and the recommended precaution (*al-iḥtiyāt al-mustahabb*) is that the stay should take place with the intention of performing ritual acts of worship, such as prayers (*ṣalāh*), and supplications (*du'ā's*).

Ruling 1720. There is no particular time for performing *i'tikāf*; rather, whenever it is correct to keep a fast (*ṣawm*) during the year, performing *i'tikāf* at that time is also correct. The best time for performing *i'tikāf* is the blessed month of Ramadan, more so during the last ten nights of Ramadan.

Ruling 1721. The minimum length of time for *i'tikāf* is two nights and three days; less than that is not correct (*ṣaḥiḥ*). There is no maximum limit. There is no problem in including the first or the fourth night in the intention of *i'tikāf*. If a person is a *mu'takif* [the term given to someone who is performing *i'tikāf*] for five full days, he must also be a *mu'takif* on the sixth day.

Ruling 1722. The starting time for *i'tikāf* is the time of morning (*ṣubḥ*) prayers on the first day, and, based on obligatory precaution (*al-iḥtiyāt al-wājib*), the finishing time for *i'tikāf* is the time of sunset (*maghrib*) prayers on the third day. For a valid *i'tikāf* to take place, a period of time equivalent to three days will not suffice; i.e. one cannot be a *mu'takif* after the time of *ṣubḥ* prayers on the first day [and stay in the mosque until the same time on the fourth day] even if he compensates the time lost from the first day on the fourth day; for example, he stays in the mosque from the time of afternoon prayers (*ẓuhr*) of the first day until the time of afternoon prayers on the fourth day.

CONDITIONS FOR THE VALIDITY OF *I'TIKĀF*

Ruling 1723. The following are the conditions for a valid *i'tikāf*.

- i. The *mu'takif* must be a Muslim.

- ii. The *mu'takif* must be sane (*'āqil*).
- iii. *I'tikāf* must be performed with the intention of attaining proximity to Allah.

Ruling 1724. A *mu'takif* must have the intention of attaining proximity to Allah in the same manner that was mentioned with regard to ablution (*wuḍū'*),¹ and *i'tikāf* must be performed from start to finish with a sincere intention to attain proximity to Allah.

- iv. The duration of the *i'tikāf* must be a minimum of three days.

Ruling 1725. The minimum duration of *i'tikāf* is three days; less than three days is incorrect. However, there is no maximum limit, as mentioned in Ruling 1721.

- v. A *mu'takif* must fast during the days of *i'tikāf*.

Ruling 1726. A *mu'takif* must fast during the days of *i'tikāf*. Therefore, *i'tikāf* performed by someone who cannot [legally] fast [during those days] – such as a traveller who does not intend to stay for ten days, a sick person, a woman in menstruation (i.e. a *ḥā'id*) and a woman who is experiencing lochia (*nifās*) – is not correct. Furthermore, on the days of *i'tikāf*, it is not necessary to fast *especially* for performing *i'tikāf*; rather, it is acceptable for one to keep any fast during *i'tikāf*, even a fast that one has been hired to keep (*istijārī*), or a recommended fast, or a lapsed (*qaḍā'*) fast.

Ruling 1727. While a *mu'takif* is fasting – i.e. from the time of *ṣubḥ* prayers until the time of *maghrib* prayers – everything that invalidates (i.e. makes *bāṭil*) a fast also invalidates *i'tikāf*. Therefore, a *mu'takif* must refrain from intentionally (*'amdan*) doing the things that invalidate a fast.²

- vi. *I'tikāf* must be performed in one of 'the four mosques' or in a *jāmi'* mosque.

Ruling 1728. It is correct to perform *i'tikāf* in Masjid al-Ḥarām, Masjid

¹ See the sixth condition for the validity of *wuḍū'* and Ruling 281.

² See Ruling 1551 for a list of the things that invalidate a fast.

al-Nabī (ﷺ), Masjid al-Kūfah, and Masjid al-Baṣrah. Similarly, it is correct to perform *i'tikāf* in the *jāmi'* mosque of every town, except when the religious leadership (*imāmah*) of that mosque is in the hands of a person who is not just (*ʿādil*), in which case, based on obligatory precaution, *i'tikāf* is not correct. A *jāmi'* mosque is one that is not particular to people of a specific locality or area, nor to a specific group; rather, it is a place where people of different areas and localities of the town gather and frequent. The legality (*mashrūʿiyyah*) of *i'tikāf* performed in any mosque other than a *jāmi'* mosque is not established; however, there is no problem in performing *i'tikāf* in other mosques with the intention of there being a probability of it being a desirable act. As for performing *i'tikāf* in a place that is not a mosque – for example, in a place that is a *ḥusayniyyah*³ or only a prayer room – it is not correct and has no legal basis.

vii. *I'tikāf* must take place in one mosque.

Ruling 1729. It is necessary that *i'tikāf* be performed in one mosque. Therefore, one *i'tikāf* cannot be performed in two mosques, whether they are separate from each other or joined together, unless they are joined together in a manner that they are commonly considered to be one mosque.

viii. *I'tikāf* must be performed with the permission of one whose permission is legally (*sharʿan*) required.

Ruling 1730. *I'tikāf* must be performed with the permission of one whose permission is legally required. Therefore, if a woman's staying in a mosque is unlawful (*ḥarām*) – for example, because she has left her house without the permission of her husband – her *i'tikāf* is invalid; and in case a woman's staying in a mosque is not unlawful but performing *i'tikāf* conflicts with her husband's rights, the validity of her *i'tikāf* – if performed without her husband's permission – is problematic (*maḥall al-ishkāl*) [i.e. based on obligatory precaution, it is not valid].⁴ Similarly, if *i'tikāf* disturbs and annoys one's parents due to their compassion and sympathy for him, it is necessary for him

³ A *ḥusayniyyah* is a congregation hall for Shia ceremonies.

⁴ As mentioned in Ruling 6, the term 'problematic' (*maḥall al-ishkāl*) amounts to saying the ruling is based on obligatory precaution.

to obtain their permission; and if it does not annoy them, the recommended precaution is that he should still obtain their permission.

ix. A *mu'takif* must refrain from doing the unlawful acts of *i'tikāf*:

Ruling 1731. Someone who is performing *i'tikāf* must refrain from doing the unlawful acts of *i'tikāf*, which are as follows:

1. using fragrance;
2. having sexual intercourse with one's spouse;
3. masturbating, having sexual contact with one's spouse by means of touching, and lustfully kissing (based on obligatory precaution);
4. altercating (*mumārah*) and disputing (*mujādalah*) with others;
5. conducting a transaction.

Doing these things invalidates one's *i'tikāf*. In the case of an *i'tikāf* that is not an assigned obligation (i.e. it is not *al-wājib al-mu'ayyan*),⁵ the obligation to refrain from these things – apart from having sexual intercourse – is based on obligatory precaution.⁶

Ruling 1732. It is not permitted (*jā'iz*) for a *mu'takif* to smell perfumes in any circumstance – whether he derives pleasure from smelling them or not – and neither is it permitted for him to smell fragrant plants and flowers if he derives pleasure from doing so; however, there is no problem if he does not derive pleasure from smelling them. Similarly, a *mu'takif* can use perfumed personal cleansing products, such as liquid soap or a bar of soap, shampoo, and toothpaste that has a pleasant smell. It is not permitted, however, to smell the perfume that people who are not performing *i'tikāf* usually apply when they

⁵ An assigned obligation is an act of worship that must be performed at one distinct time. One way that an *i'tikāf* could become an assigned obligation is by means of a vow.

⁶ This means that, with regard to an *i'tikāf* that is not an assigned obligation, the obligation to refrain from having sexual intercourse is a fatwa, whereas the obligation to refrain from the other things is based on obligatory precaution (see Ruling 6 for the distinction between a fatwa and a ruling based on obligatory precaution). As for an *i'tikāf* that is an assigned obligation, the obligation to refrain from those things is a fatwa, except for the third, which as stated in brackets in the ruling itself, is based on obligatory precaution.

come to mosques, but, apparently, merely having a sense of the fragrant smell is not a problem, nor is it necessary for one to hold his nose.

Ruling 1733. While one is performing *i'tikāf*, it is not permitted for him to have sexual intercourse with his spouse – even if it does not result in ejaculation – and doing so intentionally invalidates *i'tikāf*.

Ruling 1734. Based on an obligatory precaution, a *mu'takif* must not intend to ejaculate (even by lawful means), and he must refrain from having sexual contact with his spouse by means of touching, and he must also refrain from lustfully kissing her. Looking lustfully at one's spouse during *i'tikāf* does not invalidate one's *i'tikāf*, but the recommended precaution is that one should refrain from doing so.

Ruling 1735. Disputing about worldly or religious matters while one is performing *i'tikāf* is unlawful if it is done with the intention of defeating the other person or showing off one's virtues and superiority. However, if it is done with the intention of making evident what is right, clarifying what is true, and resolving an error or mistake made by the other side, not only is it not unlawful but it is one of the best forms of worship. Therefore, the criterion [of whether such action is unlawful or not] is the intention of the *mu'takif*.

Ruling 1736. Conducting transactions while one is performing *i'tikāf* is unlawful; and based on obligatory precaution, any type of business transaction – such as hire (*ijārah*), silent partnership (*muḍārabah*),⁷ exchange (*mu'āwadah*) etc. is also unlawful, although the transaction that is conducted is valid.

Ruling 1737. Whenever a *mu'takif* is compelled to conduct a transaction in order to procure food and drink or other necessary items, and he cannot find someone else who is not a *mu'takif* to do this on his behalf by way of agency (*wikālah*), and it is not possible for him to procure the aforementioned items without conducting a transaction – for example, by way of receiving them as a gift or borrowing them

⁷ This refers to a commercial association whereby an investor entrusts capital to an agent who trades with it and shares with the investor a pre-determined proportion of the profits.

– in such a case, there is no problem in him conducting a transaction.

Ruling 1738. If a *mu'takif* intentionally commits an unlawful act of *i'tikāf* despite knowing the religious law (*al-ḥukm al-shar'ī*), his *i'tikāf* becomes invalid.

Ruling 1739. If a *mu'takif* inadvertently (*sahwan*) or forgetfully commits an unlawful act of *i'tikāf*, it does not invalidate his *i'tikāf* in any circumstance.

Ruling 1740. If a *mu'takif* commits an unlawful act of *i'tikāf* on account of not knowing the ruling about this, in the event that he was culpably ignorant (*al-jāhil al-muqaṣṣir*),⁸ his *i'tikāf* becomes invalid; and if he was inculpably ignorant (*al-jāhil al-qāṣir*), his *i'tikāf* is valid and it will be ruled as inadvertence [which as mentioned in the previous ruling, does not invalidate one's *i'tikāf* in any circumstance].

Ruling 1741. If a *mu'takif* invalidates his *i'tikāf* by doing one of things that renders an *i'tikāf* invalid – which were mentioned in the previous rulings (*masā'il*) – and if the *i'tikāf* is an assigned obligation,⁹ then based on obligatory precaution, he must make up the *i'tikāf* [i.e. he must perform it belatedly as *qaḍā'*]; and if the *i'tikāf* is not an assigned obligation – for example, one makes a vow to perform *i'tikāf* without assigning a time for it – it is obligatory that he starts the *i'tikāf* all over again; and if it is a recommended *i'tikāf* and one invalidates his *i'tikāf* after the completion of the second day, then based on obligatory precaution, he must make up the *i'tikāf*; and if one invalidates a recommended *i'tikāf* before the completion of the second day, there is no obligation on him and he does not have to make it up.

- x. A *mu'takif* must remain in the place of *i'tikāf* and must not leave it except in cases where leaving is legally permitted.

Ruling 1742. In cases where it is permitted for a *mu'takif* to leave the mosque, he must not stay outside the mosque for longer than it is necessary for him to attend to the matter in question.

⁸ The terms 'culpably ignorant' and 'inculpably ignorant' are explained in footnotes pertaining to Ruling 12.

⁹ See the first footnote pertaining to Ruling 1731 for an explanation of this term.

LEAVING THE PLACE OF I'TIKĀF

Ruling 1743. Leaving the place of *i'tikāf* for necessary and unavoidable matters – such as going to the toilet – is permitted. Leaving the mosque in order to perform ritual bathing (*ghusl*) for ritual impurity (*janābah*) is also permitted; indeed, it is obligatory. Similarly, it is permitted for women to leave in order to perform the *ghusl* for irregular blood discharge (*istihāḍah*); and if a woman who is experiencing *istihāḍah* and who must perform *ghusl* does not do so, the validity of her *i'tikāf* is not affected.

Ruling 1744. Leaving the place of *i'tikāf* in order to perform ablution (*wuḍū'*) for an obligatory prayer within its prescribed time (*adā'*) is permitted, even if the time for the prayer has not yet set in; and leaving in order to perform *wuḍū'* for an obligatory *qaḍā'* prayer – in case there is ample time for performing it – is problematic [i.e. based on obligatory precaution, one must not leave in this case].

Ruling 1745. In the event that there are facilities for performing *wuḍū'* inside the mosque, a *mu'takif* cannot leave the mosque in order to perform *wuḍū'*.

Ruling 1746. If it becomes obligatory on a *mu'takif* to perform *ghusl*, in case the *ghusl* is one of the *ghusls* that is not permitted to be performed in a mosque – such as the *ghusl* for *janābah*, which would require staying in the mosque while in the state of *janābah* or would cause the mosque to become impure – he must leave; otherwise, his *i'tikāf* becomes invalid; and in case there is no problem in performing *ghusl* in the mosque – such as the *ghusl* for touching a corpse (*mass al-mayyit*) – and it is possible to perform *ghusl*, then based on obligatory precaution, it is not permitted to leave the mosque.

Ruling 1747. Leaving the place of *i'tikāf* in order to perform recommended *ghusls* – such as the Friday *ghusl* or the *ghusl* for performing the rituals (*a'māl*) of Umm Dāwūd¹⁰ – and similarly, leaving in

¹⁰ The rituals of Umm Dāwūd are a recommended set of acts of worship that are usually performed in the middle of the month of Rajab. See, for example, Shaykh 'Abbās al-Qummi's *Mafātiḥ al-Jinān*, in the section on the recommended acts for Rajab.

order to perform a recommended *wuḍūʿ*, is problematic [i.e. based on obligatory precaution, one must not leave in order to perform them]. Generally speaking, leaving a mosque for 'supererogatory matters' (i.e. those that are religiously preferred to be done rather than not done) – excluding matters that are commonly considered to be necessary – is problematic, and precaution must be observed [i.e. based on obligatory precaution, one must not leave the mosque for 'supererogatory matters']. However, a *muʿtakif* can leave the place of *iʿtikāf* for the purposes of attending a funeral procession (*tashyīʿ al-janāzah*), preparing a corpse for *ghusl*, prayers, burial (*dafn*), and suchlike; [he can also leave for] visiting the sick and attending the Friday prayer (*ṣalāt al-jumuʿah*).

Ruling 1748. Based on obligatory precaution, it is not permitted for a *muʿtakif* to leave the mosque in order to attend congregational prayers (*ṣalāt al-jamāʿah*) that are being held outside the place of *iʿtikāf* unless one is a *muʿtakif* in the holy city of Mecca, in which case he can leave the mosque in order to perform congregational prayers or to perform prayers on his own (*furādā*); furthermore, he can perform these prayers wherever in Mecca he wants.

Ruling 1749. A *muʿtakif* cannot leave the mosque in order to bring things that he needs if he can instruct someone who is not a *muʿtakif* to bring them for him.

Ruling 1750. A *muʿtakif* can leave the place of *iʿtikāf* in order to sit secondary school, university, or *hawzah* (Islamic seminary) examinations in the event that it is commonly considered to be necessary. However, he must not stay outside the mosque for a long time such that the form of the *iʿtikāf* is lost; up to two hours, for example, is no problem.

Ruling 1751. If a *muʿtakif* leaves the mosque in order to attend to some urgent matter but stays outside for a long time such that the form of his *iʿtikāf* is lost, his *iʿtikāf* is invalid even if he was compelled or forced to leave, or he left because of necessity or due to forgetfulness.

Ruling 1752. If a *muʿtakif* leaves the place of *iʿtikāf* – intentionally, of his own choice, and while knowing the religious law – for a matter

that is not necessary, nor one for which a *mu'takif* is permitted to leave, his *i'tikāf* becomes invalid.

Ruling 1753. If a *mu'takif* leaves the place of *i'tikāf* – on account of not knowing the ruling (*mas'alah*) and being ignorant of the religious law – for a matter that is not necessary, nor one for which a *mu'takif* is permitted to leave, his *i'tikāf* becomes invalid.

Ruling 1754. If a *mu'takif* leaves the mosque due to forgetfulness, his *i'tikāf* becomes invalid; and if a *mu'takif* leaves the mosque because he was compelled or forced to leave, his *i'tikāf* does not become invalid unless he stays outside for a long time such that the form of *i'tikāf* is lost, in which case his *i'tikāf* becomes invalid.

Ruling 1755. If it is obligatory for a *mu'takif* to leave the place of *i'tikāf* – for example, in order to pay a debt that is obligatory on him, and the time to repay it is due, and he has the ability to repay it, and the lender wants it to be repaid; or, in order to accomplish something else that is obligatory on him and which requires him to leave – in these cases, if he acts contrary to his duty and does not leave, he commits a sin but his *i'tikāf* does not become invalid.

Ruling 1756. A *mu'takif* must not stay outside the mosque for longer than is necessary; and while he is outside, if possible, he must not sit under a shade. However, there is no problem if he sits under a shade while he is outside in order to empty his bowels and/or bladder; and based on obligatory precaution, after he has emptied his bowels and/or bladder, he must not sit at all unless it is necessary for him to do so.

Ruling 1757. A *mu'takif* can walk under a shade outside the mosque, although the recommended precaution is that he should avoid doing so.

Ruling 1758. Based on obligatory precaution, it is necessary for a *mu'takif* to take the shortest route when he leaves the place of *i'tikāf* or returns to it. However, if by using a longer route he would end up staying outside the mosque for a shorter time, he must choose that longer route [i.e. the route could be longer in distance but quicker to traverse due to it being, say, less busy].

MISCELLANEOUS RULINGS ON *I'TIKĀF*

Ruling 1759. When one makes the intention to perform an *i'tikāf* that is not an assigned obligation,¹¹ he can stipulate a condition from the outset that if a problem arises, he will leave the *i'tikāf*.¹² Therefore, by stipulating such a condition, one can leave the *i'tikāf* if a problem arises, and there is no problem in doing so even on the third day. However, if a *mu'takif* stipulates a condition that he will stop his *i'tikāf* even if no particular reason arises, the validity of such a condition is problematic [i.e. based on obligatory precaution, it is not a valid condition]. It is worth mentioning that stipulating the aforementioned condition (i.e. the condition of leaving the *i'tikāf* in the middle of it if a problem arises) before or after the *i'tikāf* has started is not correct; rather, it must be stipulated at the time of making the intention to perform *i'tikāf*.

Ruling 1760. A valid *i'tikāf* is not conditional on one having reached the age of legal responsibility (*bulūgh*), and *i'tikāf* performed by a child who is able to discern between right and wrong (*mumayyiz*) is also correct.

Ruling 1761. If a *mu'takif* sits on a usurped (*ghaṣbī*) carpet and he is aware of the fact that it is usurped, he commits a sin but his *i'tikāf* does not become invalid; and if someone gets to a place first and reserves it, and a *mu'takif* takes his place without his consent, then although he commits a sin his *i'tikāf* is valid.

Ruling 1762. If at the time of making the intention for an obligatory *i'tikāf* one stipulates a condition of returning (i.e. a condition of leaving the *i'tikāf* in the middle of it if a problem arises) – the details of which were mentioned in Ruling 1759 – in the event that he does something that is unlawful for one to do during *i'tikāf*, it is not necessary for him to make up the *i'tikāf* nor to start it all over again.

Ruling 1763. If a woman who is performing *i'tikāf* becomes *ḥā'id* after the completion of the second day of *i'tikāf*, it is obligatory on her to leave the mosque immediately; and based on obligatory precaution,

¹¹ See the first footnote pertaining to Ruling 1731 for an explanation of this term.

¹² Such a condition is known as 'a condition of returning (*rujū'*)'.

it is necessary for her to make up the *i'tikāf*, unless from the outset she had stipulated a condition of returning (i.e. a condition of leaving the *i'tikāf* in the middle of it if a problem arises), the details of which were mentioned in Ruling 1759.

Ruling 1764. Performing an obligatory *qaḍā' i'tikāf* is not an immediate obligation (*al-wājib al-fawrī*).¹³ However, making it up must not be delayed to such an extent that it would be regarded as being careless in accomplishing the obligation; and the recommended precaution is that it should be made up immediately.

Ruling 1765. If a *mu'takif* dies in the middle of an *i'tikāf* that has become obligatory on account of a vow, oath, covenant, or the passing of two days of *i'tikāf*, it is not obligatory on his guardian (*walī*) (i.e. the eldest son) to make up the *qaḍā' i'tikāf*, although the recommended precaution is that a *qaḍā' i'tikāf* of a deceased person should be performed. Of course, in the event that a *mu'takif* had stipulated in his will that, in such a case, someone must be hired from the one-third of his estate¹⁴ to perform *i'tikāf* for him, then the deceased *mu'takif's* will must be followed.

Ruling 1766. If a *mu'takif* intentionally invalidates his *i'tikāf* by having sexual intercourse – be it during the day or at night – it is obligatory on him to give recompense (*kaffārah*). As for [intentionally invalidating one's *i'tikāf* by performing] other unlawful acts, there is no *kaffārah*, although the recommended precaution is that one should give *kaffārah*.

The *kaffārah* for invalidating an *i'tikāf* is the same as the *kaffārah* for invalidating a fast of the month of Ramadan – i.e. one has the choice of either fasting for sixty days or feeding sixty poor people – although the recommended precaution is that one should observe the sequence in giving *kaffārah*, meaning that one should first fast for sixty days, and if he cannot, he should then feed sixty poor people.

Ruling 1767. It is not permitted to change from one *i'tikāf* to another,

¹³ This is an obligation that must be performed as soon as it possible to do so, and delaying its performance is not permitted.

¹⁴ This refers to the maximum amount of one's estate over which he has discretion in a will for it to be disposed of in accordance with his wishes after his death.

whether both *i'tikāfs* happen to be obligatory, like when a person has made one of them obligatory on account of a vow, and the other on account of an oath; or, both are recommended; or, one is obligatory and the other recommended; or, one is to be performed for himself and the other on behalf of someone else (*niyābah*) or he is being hired to perform it for someone else; or, both are to be performed on behalf of someone else.

CHAPTER SIX

The One-Fifth Tax (*Khums*)

Ruling 1768. *Khums* becomes obligatory (*wājib*) on seven things:

1. profit from earnings;
2. minerals;
3. treasure troves;
4. lawful (*ḥalāl*) property that has become mixed with unlawful (*ḥarām*) property;
5. precious stones that are acquired by underwater diving;
6. spoils of war;
7. land that a *dhimmī*¹ purchases from a Muslim, based on the well-known (*mashhūr*) juristic opinion.

The laws (*aḥkām*) of these will now be mentioned in detail.

1. PROFIT FROM EARNINGS

Ruling 1769. Whenever a person acquires property by means of trade, industry, or any other form of earning – even if, for example, he performs prayers (*ṣalāh*) and keeps fasts (*ṣawm*) of a deceased person and with the wages he receives from that he acquires some property – then, in the event that it exceeds his and his family's annual living expenses, he must pay *khums* – i.e. one-fifth – of it in accordance with the instructions that will be mentioned later.

Ruling 1770. If a person acquires property without earning it – for example, he is gifted something – then, with the exception of the cases mentioned in the next ruling, he must pay *khums* on it provided that it exceeds his living expenses for one year.

Ruling 1771. *Khums* is not liable on the dowry (*mahr*) that a wife receives, nor on the property that a husband receives in exchange for a *khul'*² divorce, nor on blood money (*diyāh*) that one receives. The same applies to the inheritance that one receives in accordance

¹ *Dhimmīs* are People of the Book (*ahl al-kitāb*) – i.e. Jews, Christians, and Zoroastrians – who have entered into a *dhimmah* treaty, i.e. an agreement that gives them rights as protected subjects in an Islamic state.

² This is a divorce that takes place at the insistence of a wife and in which she pays an agreed sum to her husband.

with those laws of inheritance that are considered valid. Therefore, if a Shia Muslim inherits property in another way, such as by *taʿsīb*,³ then that property is considered to be a gain and *khums* must be paid on it. Similarly, if a person inherits from an unexpected source that is neither from his father nor his son, then based on obligatory precaution (*al-iḥtiyāt al-wājib*), he must pay *khums* on the inheritance if it exceeds his living expenses for one year.

Ruling 1772. If a person inherits some property and knows that the person from whom he inherited it did not pay *khums* on it, he must pay *khums* on it. Similarly, if that property itself is not liable for *khums* but the heir knows that the person from whom he inherited it owed some *khums*, he must pay *khums* on it from the deceased's estate. However, in both cases, if the person from whom he inherited it did not believe in paying *khums* or never paid it, then it is not necessary for the heir to pay the *khums* owed by the deceased.

Ruling 1773. If a person saves money on his living expenses for the year by being frugal, he must still pay *khums* on it.

Ruling 1774. If a person's entire living expenses are paid by someone else, he must pay *khums* on his entire earnings.

Ruling 1775. If someone gives some property to particular persons – for example, he gives his children some property as a charitable endowment (*waqf*) – in the event that the property is farmed or trees are planted on it, and something is earned from it, and the earnings exceed their living expenses for one year, then those persons must pay *khums* on the extra earnings. Similarly, if they profit from the property in some other way – for example, they hire it out (*ijārah*) – they must pay *khums* on the amount that exceeds their living expenses for one year.

Ruling 1776. If the property that a poor person (*faqīr*) has received from obligatory charitable payments (*ṣadaqah*) – such as recompense (*kaffārah*) and *radd al-maẓālīm*⁴ – or, if he has received it from recom-

³ This is a matter of inheritance that is common among Sunni Muslims but invalid from a Shia perspective. [Author]

⁴ *Radd al-maẓālīm* refers to giving back property – which has been unrightfully

mended (*mustahabb*) *ṣadaqah*, and if that property exceeds his living expenses for one year or he acquires profit from it – for example, he acquires fruit from a tree that was given to him – and that profit exceeds his living expenses for one year, then based on obligatory precaution, he must pay *khums* on it. However, if he receives some property as *khums* or alms tax (*zakat*), being someone entitled (*mustahiqq*) to receive it, then it is not necessary for him to pay *khums* on the property itself; but if the profit that accrues from it exceeds his living expenses for one year, then the profit is liable for *khums*.

Ruling 1777. If a person purchases something with the actual money on which *khums* has not been paid, i.e. he tells the seller that he is purchasing the item with that money,⁵ then, in the event that the seller is a Twelver (Ithnā ‘Asharī) Shia, the entire transaction is valid (*ṣaḥīḥ*), and the item that has been purchased with the money is liable for *khums*; and there is no need to obtain permission or authorisation from a fully qualified jurist (*al-ḥākim al-shar‘ī*).

Ruling 1778. If a person purchases something and after agreeing the transaction he pays for it with money on which *khums* has not been paid,⁶ the transaction is valid but he will be indebted to those entitled (*mustahiqqūn*) to receive *khums* for the *khums* on the money he paid to the seller.

Ruling 1779. If a Twelver Shia Muslim purchases something on which *khums* has not been paid, the seller is liable for its *khums*, not the buyer.

Ruling 1780. If a person gifts something to a Twelver Shia Muslim on which *khums* has not been paid, the benefactor is liable for its *khums*, not the beneficiary.

Ruling 1781. If a person acquires some property from a disbeliever

or unknowingly taken – to its rightful owner, or if that is not possible, to the poor as *ṣadaqah* on behalf of the rightful owner.

⁵ This is known as a ‘specified’ (*shakhṣī*) purchase. See the second footnote pertaining to Ruling 807.

⁶ This is referring to a type of purchase that is known as a ‘non-specified undertaking’. See the first footnote pertaining to Ruling 807.

(*kāfir*), or from someone who does not believe in paying *khums*, or from someone who does not pay *khums*, it is not obligatory on him to pay *khums* on it.

Ruling 1782. If a businessman, merchant, craftsman, clerk etc. starts trading or working, then after the passing of one year, he must pay *khums* on the amount that exceeds his living expenses for the year. The same applies to a preacher etc., even if his income is earned at certain times of the year, provided that the income is sufficient to meet most of his living expenses for the year. As for someone who does not have an occupation by which he can earn a living and who receives help from the government or from people, or someone who incidentally acquires some profit, such persons must pay *khums* on the amount that exceeds their living expenses for the year after one year has passed from the time they acquired the profit. Therefore, [for the purposes of *khums*] they can calculate a different year for each amount.

Ruling 1783. During the year, a person can pay *khums* on his profit whenever he acquires it, and it is also permitted (*jā'iz*) for him to delay paying *khums* until the end of the year. However, if he knows that he will not need it until the end of the year, then based on obligatory precaution, he must pay *khums* on it immediately. Furthermore, there is no problem if one adopts the solar year for the payment of *khums*.

Ruling 1784. If a person makes a profit and he dies during the year, his living expenses until the time of his death must be deducted from the profit, and thereafter *khums* must be paid immediately on the balance.

Ruling 1785. If the price of a commodity that a person has purchased for the purposes of business rises, and if the person does not sell it and its price falls during the same year, then *khums* on the amount of increase in the price is not obligatory on him.

Ruling 1786. If the price of a commodity that a person has purchased for the purposes of business rises, and if the person does not sell it until after the year finishes in the hope that the price will rise, and if in actual fact the price falls, then based on obligatory precaution, it is obligatory on him to pay *khums* on the amount of increase in the price.

Ruling 1787. If a person has purchased property that was not for business and he has paid *khums* on it, in the event that its price rises and he sells it, he must pay *khums* on the amount that has increased in price and which exceeds his living expenses for one year. Similarly, if, for example, a tree bears fruit, or a sheep that is kept for its meat becomes fat, one must pay *khums* on the excess gain.

Ruling 1788. If a person creates a garden with money on which he has paid *khums* or which is not liable for *khums*, and if he wants to sell it after its price appreciates, he must pay *khums* on the fruits, and on the growth of the trees and shrubs that were already growing or that he planted, and on the dry branches that can be pruned and used, and on the increase in the price of the garden. However, if his intention is to sell the fruit of the trees and to benefit from their value, then *khums* is not obligatory on the increase in price and the rest is liable for *khums*.

Ruling 1789. If a person plants willows, planes, or similar trees, he must pay *khums* every year on their growth. Similarly, the branches of trees that are usually pruned every year, if [they are sold and the income] exceeds his living expenses for one year, he must pay *khums* on them.

Ruling 1790. A person who has a number of lines of business – for example, with his capital he has bought [and trades in] sugar and rice – in the event that all the lines of his business are the same in business matters such as income and outcome, book keeping, and profit and loss, he must pay *khums* on the amount that exceeds his living expenses for one year. In the event that he gains profit from one line and a loss from another, he can offset the loss from that line with the profit from the other. However, if he has two different lines of business – for example, he trades as well as farms – or, if he has one line of business but the profit and loss are calculated separately from each other, then in these two cases, he cannot, based on obligatory precaution, offset the loss of one with the profit of the other.

Ruling 1791. A person can deduct from his profit the living expenses he incurs in making profit – such as brokerage and transportation costs – and the same applies to any damage done to his tools and

equipment, and it is not necessary for him to pay *khums* on that amount.

Ruling 1792. The amount a person spends from his profit during the year on food, clothing, furniture, the purchase of a house, the wedding of his son, the trousseau of his daughter, *ziyārah*,⁷ and suchlike, is not liable for *khums* provided that the amount spent is not beyond his status.

Ruling 1793. The amount one spends on a vow (*nadhr*) and *kaffārah* is considered to be part of his annual living expenses. Similarly, property that one gives to someone as a gift or prize is also considered to be part of his annual living expenses provided that it is not beyond his status.

Ruling 1794. If it is common practice [where the person lives] for a person to acquire the trousseau for his daughter gradually over a number of years, and if he does not acquire the trousseau it would be unbecoming of his status – albeit because he was unable to acquire it all at the required time – and if during the year he purchases some of the trousseau from the profit of that year and his purchases do not exceed his status, and if gathering that amount in one year would be commonly considered to be part of his normal annual expenditure, in such a case, it is not obligatory on him to pay *khums* on it. However, if his purchases exceed his status or he acquires the trousseau next year from the profit of the current year, then he must pay *khums* on it.

Ruling 1795. The expenses incurred for hajj and other *ziyārahs* are considered to be part of one's living expenses for the year; and if his journey is prolonged until part of the following year, he must pay *khums* on what he spends [from the previous year's profits] in the second year.

Ruling 1796. With regard to someone who has earned profit from trade, business, or other means, if he owns some other property on which *khums* is not obligatory, he can calculate his living expenses for the year only from the profit he has earned.

⁷ *Ziyārah* is a visitation to the place of burial of a holy personality or to a holy place.

Ruling 1797. If the provisions that a person purchases from his profit of the year are surplus to his needs at the end of the year, he must pay *khums* on them. And in the event that he wants to pay its monetary value instead, then, if it has increased since the time he bought the provisions, he must calculate the *khums* based on the price at the end of the year.

Ruling 1798. If before paying *khums* a person purchases household furniture with the profit earned by him, it is not necessary for him to pay *khums* on the items if they are no longer needed after the year end. Similarly, the items are not liable for *khums* if they are not needed during the year provided that they are items that are usually kept for succeeding years, such as winter and summer clothes. Apart from these types of items, if they are not needed during the year, the obligatory precaution is that one must pay *khums* on them. As for the jewellery of a woman who no longer uses them for adornment, it is not liable for *khums*.

Ruling 1799. If a person does not make any profit in a year, he cannot deduct his expenses for that year from the profit he makes in the following year.

Ruling 1800. If a person does not make any profit at the beginning of a year and spends out of his capital, but then makes some profit before the year's end, he can deduct the amount he had taken from his capital from the profit he earned.

Ruling 1801. If part of one's capital is lost in business and similar activities, he can deduct the lost amount from the profit made in the same year.

Ruling 1802. If some property other than one's capital is lost and he needs that item in the same year, he can acquire it during the year from his profit and it is not liable for *khums*.

Ruling 1803. If a person does not make a profit at the end of a year and borrows money in order to meet his living expenses, he cannot deduct the borrowed amount from the profit made by him in succeeding years and thereby not pay *khums* on the profit. However, if he borrows

money during the year in order to meet his living expenses and he makes a profit before the year's end, he can deduct the borrowed amount from his profit. Similarly, in the first case, he can repay the borrowed amount from gains made during the year and that amount is not liable for *khums*.

Ruling 1804. If a person borrows money in order to increase his wealth or to purchase something that he does not need, and if he repays the loan from the profit he acquires in that year without paying *khums*, he must pay *khums* on the property after the *khums* year end unless the money that he borrowed or the item that he purchased from the loan money perishes during the year.

Ruling 1805. A person can pay the *khums* of an item that is liable for *khums* from the item itself, or he can pay the monetary value of the *khums* that has become obligatory. However, if he wants to give something else on which *khums* has not become obligatory, then this is problematic (*maḥall al-ishkāl*) [i.e. based on obligatory precaution, he cannot do this],⁸ unless he does so with the permission of a fully qualified jurist.

Ruling 1806. If a person's property becomes liable for *khums* and a year has passed, he cannot have disposal over that property until he pays *khums* on it.

Ruling 1807. A person who owes *khums* cannot take responsibility for it – meaning that he cannot regard himself as being indebted to those entitled to receive it – yet still have disposal over his entire wealth. And in the event that he uses the wealth and it is lost, [not only will he have committed a sin but he will still be deemed responsible and] he must pay *khums* on it.

Ruling 1808. If a person who owes *khums* makes an interchange settlement⁹ with a fully qualified jurist and takes responsibility for

⁸ As mentioned in Ruling 6, the term 'problematic' (*maḥall al-ishkāl*) amounts to saying the ruling is based on obligatory precaution.

⁹ Here, the fully qualified jurist takes the *khums* from the person who owes it and then returns it to him as a loan. In this way, the person who owes *khums* can have disposal over his property.

it, he can have disposal over his entire property; and the profit he earns from it afterwards belongs to him; he must, however, gradually repay the debt in a manner that is not careless.

Ruling 1809. If a person who is a partner with someone else pays *khums* on his profit but his partner does not, and in the following year his partner offers his property on which *khums* has not been paid as capital for the partnership, the first partner – supposing he is a Twelver Shia – can have disposal over the joint property.

Ruling 1810. If a child who is a minor (*ṣaghīr*) acquires some profit, albeit from gifts, and if during the year the profit is not used for the child's living expenses, it becomes liable for *khums* and it is obligatory on the guardian (*walī*) of the child to pay *khums* on it. In the event that the guardian does not pay it, it is obligatory on the child to pay *khums* on it after he reaches the age of legal responsibility (becomes *bāligh*).

Ruling 1811. If a person who acquires property doubts (i.e. has a *shakk*) whether the former owner has paid *khums* on it or not, he can still have disposal over the property. In fact, even if the new owner is certain (i.e. he has *yaqīn*) that the former owner has not paid *khums* on it, then, if the former owner is someone who does not pay *khums* and the new owner is a Twelver Shia, he can have disposal over it.

Ruling 1812. If a person purchases something with the profit earned by him during the year, and if that item cannot be considered to be necessary and part of his living expenses for a year, it is obligatory on him to pay *khums* on it at the end of the year. In the event that he does not pay *khums* on it and the value of the property increases, he must pay *khums* on its current value.

Ruling 1813. If a person purchases something with money on which *khums* has not been paid for a year [as a non-specified undertaking, which is explained in the first footnote pertaining to Ruling 807], and if its price increases, then, in the event that he did not intend to buy the item as an investment and to sell it when its price increases – for example, he purchases land for farming [and not to sell once its price increases] – he must pay *khums* on the purchase price. However, if, for example, he gives the seller the actual money on which *khums* has

not been paid and tells him that he is purchasing the item with that money,¹⁰ then he must pay *khums* on the current value of the item.

Ruling 1814. If someone has not paid *khums* from the time he became legally obliged to fulfil religious duties, or if he has not paid *khums* for a period of time – for example, a number of years – then, if during the year he purchases something that he does not need from profit made by trading and one year passes from the time he started trading – or, if he is not a trader and one year passes from the time he made the profit – he must pay *khums* on the item. However, if he purchases household furniture and other items that he needs in accordance with his status, it is not necessary for him to pay *khums* on them provided that he knows that he purchased them during the year in which he made a profit, and he purchased them with the same year's profit, and he used them in the same year. And if he does not know this, then based on obligatory precaution, he must arrive at a settlement (*muṣālaḥah*) with a fully qualified jurist on an amount that is proportionate to the probability; for example, if he deems it 50% probable that *khums* on the items is obligatory, then he must pay *khums* on that 50%.

2. MINERALS

Ruling 1815. Minerals such as gold, silver, lead, copper, iron, oil, coal, turquoise (*fīrūzah*), agate (*‘aqīq*), alum, salt, and others, are considered to be *anfāl*, i.e. they belong to the Imam (‘A). However, if someone extracts them and there is no legal obstacle, he can own them; and in the event that the mineral's value reaches the taxable limit (*niṣāb*), he must pay *khums* on it.

Ruling 1816. The *niṣāb* for minerals is fifteen common (*ṣayrafī*) *mithqāls*¹¹ of coined gold, i.e. if the value of a mineral that is extracted from a mine reaches fifteen common *mithqāls* of coined gold after

¹⁰ This is known as a ‘specified’ (*shakhṣī*) purchase. See the second footnote pertaining to Ruling 807.

¹¹ Based on the definitions in Ruling 1912, one common *mithqāl* is equal to approximately 4.68 grams; therefore, fifteen common *mithqāls* is equal to approximately 70.2 grams.

deducting the costs for extracting it, then the subsequent expenses – such as the costs for purifying it – are subtracted and *khums* must be paid on the remainder.

Ruling 1817. When the value of a mineral that has been extracted from a mine does not reach fifteen common *mithqāls* of coined gold, *khums* on it becomes necessary only when it – either on its own or in combination with one's other profits – exceeds his living expenses for one year.

Ruling 1818. Based on obligatory precaution, the rules (*aḥkām*) of minerals also apply to chalk and lime. Therefore, if their value reaches the *niṣāb*, one must pay *khums* on them without deducting his living expenses for a year from their value.

Ruling 1819. A person who acquires something from a mine must pay *khums* on it, irrespective of whether the mine is over the ground or under it, or whether it is located on land owned by him or in a place that does not have an owner.

Ruling 1820. If a person does not know whether or not the value of the mineral he has extracted from a mine reaches fifteen common *mithqāls* of coined gold, the obligatory precaution is that if it is possible, he must ascertain its value by weighing it or by some other way; and if this is not possible, then *khums* is not obligatory on him.

Ruling 1821. If a few persons extract something, in the event that its total value reaches fifteen common *mithqāls* of coined gold but the share of each person does not reach that value, it is not liable for *khums*.

Ruling 1822. If by digging, a person extracts a mineral from under some land that belongs to someone whose permission he did not obtain, the well-known (*mashhūr*) juristic opinion is that whatever is acquired from that belongs to the owner of the land. However, this is problematic and the obligatory precaution is that they arrive at a settlement. And in the event that they are not willing to arrive at a settlement, they must refer to a fully qualified jurist (*al-ḥākim al-sharʿī*) to settle the dispute.

3. TREASURE TROVES

Ruling 1823. A treasure trove is moveable property that has been concealed and is not within the reach of people; and it is hidden underground, or in a tree, mountain, or wall; and its being there is not normal.

Ruling 1824. If a person finds a treasure trove on land that does not belong to anyone or which is barren, and he becomes the owner of it by making it fertile, he can take the treasure trove for himself but he must pay *khums* on it.

Ruling 1825. The *niṣāb* for treasure troves is 105 *mithqāls* of coined silver or fifteen *mithqāls* of coined gold; i.e. if the value of the treasure trove is equal to either of these two amounts, then *khums* becomes obligatory on it.

Ruling 1826. If a person finds a treasure trove on land that he has purchased from someone or on land over which he has disposal on account of renting it and suchlike, and if that treasure trove does not legally (*shar'an*) belong to a Muslim or to a *dhimmī*,¹² or if it does then it was such a long time ago that he is unable to ascertain whether or not there is an heir for it, in such a case, he can take the treasure trove for himself but he must pay *khums* on it. And if he deems it rationally probable that the treasure belongs to the previous owner, then in case the previous owner had disposal over the land, the treasure trove, or its location as a result of owning the land, he must inform him. Thereafter, if the previous owner makes a claim over the treasure trove, he must return it to him, and if he does not make a claim over it, he must inform the person who owned the land before the previous owner and who had disposal over it, and so on with regard to all the previous owners who had such disposal. And if none of them makes a claim over the treasure trove and the present owner does not know whether or not it once (not so long ago in the distant past) belonged to a Muslim or to a *dhimmī*, he can take it for himself but he must pay *khums* on it.

¹² *Dhimmīs* are People of the Book (*ahl al-kitāb*) – i.e. Jews, Christians, and Zoroastrians – who have entered into a *dhimmah* treaty, i.e. an agreement that gives them rights as protected subjects in an Islamic state.

Ruling 1827. If a person finds treasure troves in a number of places and their total value is 105 *mithqāls* of silver or fifteen *mithqāls* of gold, he must pay *khums* on them. However, if he finds the treasure troves at different times, then if there was not a long interval between finding them, the value of all of them together must be calculated; but if there was a long interval, then each one must be calculated separately.

Ruling 1828. If two people find a treasure trove which has a total value that reaches 105 *mithqāls* of silver or fifteen *mithqāls* of gold but their individual shares do not come to that amount, it is not necessary for them to pay *khums* on it.

Ruling 1829. If a person purchases an animal and finds some property in its stomach, in the event that he deems it probable that it belongs to the seller or to the previous owner, and they had disposal over the animal and over the object that was found in the animal's stomach, he must inform them about it. Thereafter, if he does not find an owner for it, in the event that its value reaches the *niṣāb* of a treasure trove, he must pay *khums* on it. In fact, based on obligatory precaution, he must pay *khums* on it even if its value is less than the *niṣāb* and the rest is his property. This rule also applies to fish etc., provided that it was looked after in a particular place and somebody undertook to feed it. However, if the fish was caught from the sea or from a river, it is not necessary to inform anyone.

4. LAWFUL PROPERTY THAT HAS BECOME MIXED WITH UNLAWFUL PROPERTY

Ruling 1830. If lawful property has become mixed with unlawful property in a way that a person cannot distinguish one from the other, and if the owner and the quantity of the unlawful property are not known, and if one does not know whether the quantity of the unlawful property is less or more than one-fifth of the entire property, then by paying *khums* on it, it becomes lawful; and based on obligatory precaution, the *khums* must be given to someone who is entitled to receive both *khums* and *radd al-mazālim*.

Ruling 1831. If lawful property becomes mixed with unlawful property and one knows the quantity of unlawful property – irrespective of whether it is more or less than *khums* – but he does not know who its owner is, he must give away that quantity with the intention of *sadaqah* on behalf of its owner; and the obligatory precaution is that he must first obtain permission from a fully qualified jurist.

Ruling 1832. If lawful property becomes mixed with unlawful property and one does not know the quantity of the unlawful property but does know who its owner is, in the event that the person and the owner cannot come to a mutual agreement [as to the quantity of the unlawful property], the person must give the owner a quantity that he is certain is his. In fact, if the person himself was at fault in the two properties – i.e. the lawful and the unlawful – becoming mixed, then as an obligatory precaution, he must give him more than what he deems probable is his property.

Ruling 1833. If a person pays *khums* on lawful property that has become mixed with unlawful property and later realises that the quantity of unlawful property was more than the *khums*, he must give the extra quantity that he knows was more than *khums* as *sadaqah* on behalf of its owner.

Ruling 1834. If a person pays *khums* on lawful property that has become mixed with unlawful property, or, if he gives some property as *sadaqah* on behalf of the owner who is unknown to him and later the owner is found, in the event that the owner does not agree [to the action taken], then based on obligatory precaution, the person must reimburse him his share.

Ruling 1835. If lawful property is mixed with unlawful property and the quantity of the unlawful property is known, and if a person knows that the owner can only be one of a group of people but he does not know which one, then in such a case, he must inform all of them. Thereafter, in the event that one of them says it belongs to him and the others say it is not theirs or they confirm that it belongs to him, the person must give it to him. However, if two or more persons say it belongs to them, in the event that the dispute is not resolved by way of settlement and suchlike, they must refer to a fully qualified jurist

to settle the dispute. And if all of them claim they did not know or are not ready to settle, then what is apparent (*ẓāhir*)¹³ is that ownership of the property must be determined by drawing lots (*qur'ah*); and as an obligatory precaution, the lots must be drawn by a fully qualified jurist or his representative (*wakīl*).

5. GEMS ACQUIRED BY UNDERWATER DIVING

Ruling 1836. If by means of underwater diving a person acquires pearls, corals, or other gems, whether it is organic or mineral, in the event that their value reaches eighteen *nukhuds*¹⁴ of gold, he must pay *khums* on them – irrespective of whether they were brought up in a single dive or in multiple dives – provided there is not a long interval between them; and if there is – for example, he dives in two different seasons – then, in the event that [the gems found in] each dive do not reach the value of eighteen *nukhuds* of gold, it is not obligatory to pay *khums* on them. Similarly, if the share of each diver taking part in the dive does not reach the value of eighteen *nukhuds* of gold, it is not obligatory to pay *khums* on it.

Ruling 1837. If a person acquires gems from the sea by means other than diving, then based on obligatory precaution, it is obligatory on him to pay *khums* on them. However, if he acquires them from the surface of the sea or from the sea shore, then he must pay *khums* on them only if what he has acquired on its own, or in combination with other profits made by him, exceeds his living expenses for one year.

Ruling 1838. *Khums* on fish and other animals that a person catches without diving into the sea is only obligatory if on its own, or in combination with other profits made by him, exceeds his living expenses for one year.

Ruling 1839. If a person dives into the sea without the intention of bringing anything out of it, and if he incidentally finds a gem and

¹³ For practical purposes in jurisprudential rulings, expressing an apparent ruling equates to giving a fatwa.

¹⁴ A *nukhud* is a measure of weight. One *nukhud* is equivalent to approximately 0.195 grams; therefore, eighteen *nukhuds* is equal to approximately 3.51 grams.

intends to keep it, he must pay *khums* on it. In fact, the obligatory precaution is that he must pay *khums* on it in any situation.

Ruling 1840. If a person dives into the sea and brings out a creature and finds a gem in its stomach, in the event that the creature is like an oyster that by its nature can contain a gem, he must pay *khums* on it provided that its value reaches the *niṣāb*. And if the creature has incidentally swallowed the gem, then the obligatory precaution is that one must pay *khums* on it even if its value does not reach the *niṣāb*.

Ruling 1841. If a person dives into big rivers like the Tigris and Euphrates and brings out a gem, he must pay *khums* on it.

Ruling 1842. If a person dives into water and brings out some ambergris with a value that is equal to eighteen *nukhuds* of gold or more, he must pay *khums* on it. In fact, the same rule applies even if it is obtained from the surface of the sea or from the sea shore.

Ruling 1843. If a person whose profession is diving or extracting minerals pays *khums* on what he finds and his income exceeds his living expenses for the year, it is not necessary for him to pay *khums* on them again.

Ruling 1844. If a child extracts a mineral, or finds a treasure trove, or brings out gems from the sea by diving, his guardian (*walī*) must pay *khums* on them. And in the event that he does not, the child must pay the *khums* after he becomes *bāligh*. Similarly, if the child has lawful property that is mixed with unlawful property, the guardian must act according to the rules mentioned in the section on mixed property.

6. SPOILS OF WAR

Ruling 1845. If Muslims fight a war against disbelievers (*kuffār*) in compliance with the command of the Imam (‘A) and they acquire things from the war, those things are called *ghanā’im* (spoils of war). The things that are exclusively for the Imam (‘A) from the spoils of war must be put aside and *khums* must be paid on the rest. With regard to the liability of *khums*, there is no difference between movable

and immovable things. Land that is not *anfāl* belongs to the general Muslim public even if the war was not fought with the permission of the Imam ('A).

Ruling 1846. If Muslims fight in a war against disbelievers without the permission of the Imam ('A) and acquire spoils of war from them, then everything that they acquire as spoils of the war belongs to the Imam ('A) and the fighters have no right over them.

Ruling 1847. The rules on spoils of war do not apply to things that are in the hands of disbelievers in the event that the owner is someone whose property is inviolable (*muḥtaram al-māl*), i.e. a Muslim, or a *dhimmī* disbeliever, or a cosignatory with Muslims to a peace or security treaty (*mu'āhid*).

Ruling 1848. Stealing etc. from a *ḥarbī* disbeliever¹⁵ in the event that it is considered treachery and a breach of security is unlawful. And based on obligatory precaution, whatever is taken from them in this way must be returned.

Ruling 1849. The well-known (*mashhūr*) juristic opinion is that a believer can appropriate the property of a *nāṣibī*¹⁶ and pay *khums* on it. However, this rule is problematic [i.e. based on obligatory precaution, one must avoid doing this].¹⁷

7. LAND THAT A *DHIMMĪ* PURCHASES FROM A MUSLIM

Ruling 1850. If a *dhimmī* disbeliever purchases land from a Muslim, then based on the well-known (*mashhūr*) juristic opinion, he must pay *khums* on it from the land itself or from his other property. However,

¹⁵ This refers to a disbeliever who is not a *dhimmī* and has not entered into any peace or security treaty with Muslims.

¹⁶ In Ruling 103, *nawāṣib* (pl. of *nāṣibī*) are defined as 'those who show enmity towards the Imams ('A)'.

¹⁷ See *Minhāj al-Ṣāliḥīn*, vol. 1, p. 358, Ruling 1190; *Tawḍīḥ al-Masā'il-i Jāmi'*, vol. 1, p. 700, Ruling 2436.

the obligation to pay *khums* – as it is commonly understood – in this case is problematic [i.e. the obligation to pay *khums* is based on obligatory precaution, and observing precaution here must not be abandoned].¹⁸

DISTRIBUTION OF *KHUMS*

Ruling 1851. *Khums* must be divided into two parts: one part is the portion for *sayyids*¹⁹ (*sahm al-sādāt*), which must be given to a *sayyid* who is poor, or who is an orphan, or who is stranded on a journey. The second part is the portion for the Imam (‘A) (*sahm al-imām*), which at the present time [i.e. during the time of the Imam’s (‘A) occultation] must either be given to a fully qualified jurist or spent for purposes that he permits. And the obligatory precaution is that the fully qualified jurist must be the most learned (*a‘lam*) *marja’*²⁰ and be well aware of public affairs.

Ruling 1852. An orphan *sayyid* to whom *khums* is given must be poor. However, a *sayyid* who is stranded on a journey can be given *khums* even if he is not a poor person in his home town (*waṭan*).

Ruling 1853. If the journey of a *sayyid* who is stranded was for a sinful purpose, then based on obligatory precaution, he must not be given *khums*.

Ruling 1854. A *sayyid* who is not a just person (*‘ādil*) can be given *khums*. However, *khums* must not be given to a *sayyid* who is not a Twelver Shia.

Ruling 1855. A *sayyid* who uses *khums* for sinful purposes cannot be given *khums*. In fact, the obligatory precaution is that *khums* must not be given to him if it assists him to commit sins even if he does not spend it directly for sinful purposes. Similarly, the obligatory

¹⁸ See *Minhāj al-Ṣāliḥīn*, vol. 1, p. 362.

¹⁹ A *sayyid* is a male descendant of Hashim, the great grandfather of Prophet Muḥammad (S).

²⁰ A *marja’* is a jurist who has the necessary qualifications to be followed in matters of Islamic jurisprudence (*fiqh*). See Ruling 2.

precaution is that a *sayyid* who consumes alcohol, or does not perform prayers, or publicly commits sins, must not be given *khums*.

Ruling 1856. If a person claims that he is a *sayyid*, *khums* cannot be given to him unless two just persons confirm it, or one attains certainty or confidence (*iṭmi'nān*) by some other way that he is a *sayyid*.

Ruling 1857. *Khums* can be given to a person who is known to be a *sayyid* in his home town, provided that one is not certain or confident that he is not a *sayyid*.

Ruling 1858. If a person's wife is a *sayyidah*,²¹ then based on obligatory precaution, he must not give his *khums* to her to spend it on her living expenses. However, if it is obligatory on her to meet the living expenses of others but she cannot do so, it is permitted (*jā'iz*) for him to give his *khums* to her to spend it on them. The same applies with regard to giving *khums* to her to spend on her maintenance (*nafaqah*) that is not obligatory on him to provide [i.e. he must not give his *khums* to her to spend it on what is obligatory on him to provide].

Ruling 1859. If it is obligatory on a person to meet the living expenses of a *sayyid* or of a *sayyidah* who is not his wife, then based on obligatory precaution, he cannot provide for her food, clothing, and other obligatory maintenance from *khums*. However, there is no problem if he gives some *khums* to her to spend on things that are not obligatory on him to provide.

Ruling 1860. *Khums* can be given to a poor *sayyid* whose living expenses are obligatory on another person who cannot, or does not, meet the living expenses of the *sayyid*.

Ruling 1861. The obligatory precaution is that one must not give a *sayyid* an amount of *khums* that is more than his living expenses for one year.

Ruling 1862. If there is no one entitled to receive *khums* in a person's town, he can take it to another town. In fact, he can take it to

²¹ A *sayyidah* is a female descendant of Hashim, the great grandfather of Prophet Muḥammad (S).

another town even if there is someone entitled to receive it in his town provided that this act is not considered to be nonchalance in paying *khums*. In either case, if the *khums* perishes, he is responsible (*dāmin*) for it [and he must reimburse it] even if he was not negligent in looking after it. Furthermore, he cannot deduct the costs for taking it [to the other town] from the *khums*.

Ruling 1863. If a person keeps hold of his own *khums* by way of agency (*wikālah*) of a fully qualified jurist or his representative, he [is still deemed to have paid his *khums* and] is absolved of his responsibility. Furthermore, if he transfers it to another town in compliance with the direction of a fully qualified jurist or his representative, and in the process it perishes without him being negligent, he is not responsible for it.

Ruling 1864. It is not permitted for one to calculate an item as having a higher price than it actually does and then give it in lieu of *khums*. And as stated in Ruling 1805, it is problematic [i.e. based on obligatory precaution, he must not] give something else in lieu of *khums* – apart from money – except with the permission of a fully qualified jurist or his agent.

Ruling 1865. If a person who is owed money by someone entitled to receive *khums* wants to calculate the amount he is owed in lieu of the *khums* that is payable by him, he must, based on obligatory precaution, either first obtain permission from a fully qualified jurist or give the *khums* to the person entitled to receive it who thereafter returns it to him in lieu of the money he owes him. Alternatively, the person who is owed the money can become an agent for the person entitled to receive *khums* and keep hold of it on his behalf as payment in lieu of what he is owed.

Ruling 1866. A person who must pay *khums* cannot make it a condition on someone entitled to receive it that he must return the amount to him.

CHAPTER SEVEN

**Enjoining Good and
Forbidding Evil**

Among the most important religious obligations is enjoining good and forbidding evil. Allah the Exalted states in the Noble Qur'an:

وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

There has to be a nation among you summoning to the good, bidding what is right, and forbidding what is wrong. It is they who are the felicitous.¹

It has been reported that the most noble Messenger (S) said:

لَا تَزَالُ أُمَّتِي بِخَيْرٍ مَا أَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ وَتَعَاوَنُوا عَلَى الْبِرِّ فَإِذَا لَمْ يَفْعَلُوا ذَلِكَ نَزَعَتْ مِنْهُمْ الْبَرَكَاتُ وَ سُلِطَ بَعْضُهُمْ عَلَى بَعْضٍ وَ لَمْ يَكُنْ لَهُمْ نَاصِرٌ فِي الْأَرْضِ وَلَا فِي السَّمَاءِ

My nation will always be with goodness as long as its people enjoin good and forbid evil and assist one another in piety. If they do not do that, then blessings will be taken away from them and some of them will impose their rule over others, and there will be no helper for them on the earth or in the sky.²

It has been reported that His Eminence Amīr al-Mu'minīn [Imam 'Alī] (A) said:

لَا تَتْرُكُوا الْأَمْرَ بِالْمَعْرُوفِ وَالنَّهْيِ عَنِ الْمُنْكَرِ فَيَوَلَّى عَلَيْكُمْ شِرَارُكُمْ ثُمَّ تَدْعُونَ فَلَا يُسْتَجَابُ لَكُمْ

Do not abandon enjoining good and forbidding evil, otherwise the evil people among you will take charge over you, and then when you supplicate you will not be answered.³

Ruling 1867. Enjoining good and forbidding evil becomes obligatory

¹ Āl 'Imrān (Chapter 3), verse 104.

² M. H. Al-Nūrī, *Mustadrak al-Wasā'il wa Mustanbat al-Masā'il*, Qum: Mu'assisah Āl al-Bayt 'Alayhim al-Salām, 1987, vol. 12, p. 181.

³ M. Al-Raḍī (compiler), *Nahj al-Balāghah*, Qum: Hijrat, 1993, Letter 47 (Ṣubḥī Ṣāliḥ arrangement).

(*wājib*) when performance of the good deed in question is obligatory and performance of the evil deed in question is unlawful (*ḥarām*). In this situation, enjoining good and forbidding evil is a collective obligation (*al-wājib al-kifā'ī*), meaning that if some people act according to this duty, then everyone else is excused from it; however, it is incumbent on everyone to not be indifferent if they encounter something unlawful being done or something obligatory being abandoned, and that they express their aversion in their speech and actions. Acting to this extent is an individual obligation (*al-wājib al-aynī*).⁴

It has also been reported that His Eminence Amīr al-Mu'minīn [Imam 'Alī] ('A) said:

أَمَرَنَا رَسُولُ اللَّهِ (ص) أَنْ نَلْقَى أَهْلَ الْمَعَاصِي بِوُجُوهِ مُكْفَهَرَةٍ

The Messenger of Allah (S) commanded us to meet people of disobedience with sullen faces.⁵

When the good deed being enjoined is a recommended (*mustaḥabb*) act (and not an obligatory one), or the evil deed being forbidden is a disapproved (*makrūh*) act (and not an unlawful one), enjoining good and forbidding evil is recommended.

Furthermore, when a person enjoins good and forbids evil, the status and personality of the wrongdoer must be taken into account so that he is not troubled and disrespected. In addition, one must not be so severe and harsh that the wrongdoer becomes averse to the religion and religious activities.

Ruling 1868. The following five conditions must exist in order for enjoining good and forbidding evil to be obligatory.

1. One must have knowledge of what is good and what is evil, albeit in a general sense. Therefore, enjoining good and forbidding evil is not obligatory on someone who does not know what good and evil are and does not distinguish between them. Indeed, in order to enjoin good and forbid evil, it is sometimes obligatory to learn and know what is good and what is evil.

⁴ This is an obligation that every duty-bound person must perform irrespective of whether or not others have also performed it.

⁵ M. Al-Kulaynī, *Al-Kāfī*, Tehran: Dār al-Kutub al-Islāmiyyah, 1986, vol. 5, p. 59.

2. One must deem it probable that it will have an effect on the wrongdoer. Therefore, if he knows that his speech and words are ineffective, the well-known (*mashhūr*) opinion among jurists (*fuqahā'*) is that he is under no duty and it is not obligatory on him to enjoin good and forbid evil; however, the obligatory precaution (*al-iḥtiyāt al-wājib*) is that he must express in any way possible his disapproval and displeasure with the wrongdoer's improper actions, even if he knows that it will not have any effect on him.
3. The wrongdoer must intend to continue doing the improper and wrong actions. Therefore, in the event that the wrongdoer does not want to repeat his wrong actions, it is not obligatory to enjoin him to good and to forbid him from evil.
4. The wrongdoer must not be legally excused (*ma'dhūr*) in his improper and wrong actions; i.e. he must not believe that the improper act he did was not unlawful and that it was permissible (*mubāh*); nor must he believe that the good act he abandoned was not obligatory.

However, if the evil deed is something that the Holy Legislator [Allah] is never pleased with – such as the killing of an innocent person – then it is obligatory to prevent it, even if the perpetrator is legally excused and even if he is not legally obliged to fulfil religious duties (*mukallaf*).

5. The person enjoining good and forbidding evil must not be in danger of significant harm being inflicted to his person, reputation, or wealth. Furthermore, it must not cause excessive difficulty (*mashaqqah*) or unendurable hardship, except in the case where the good or evil act in question is regarded by the Holy Legislator [Allah] as being so important that one must endure harm and hardship in its cause.

If the person who enjoins good and forbids evil is not in danger of any significant harm being inflicted on himself, but other Muslims are – whether that be to their person, reputation, or wealth – then it does not become obligatory on him to enjoin good and forbid evil. In this situation, the level of harm must be compared with the act in question, and sometimes even when harm is caused, he will not be excused from enjoining good and forbidding evil.

Ruling 1869. Enjoining good and forbidding evil is carried out at different levels:

1. displaying heartfelt aversion; for example, by turning away one's face from, or not speaking to, the wrongdoer;
2. verbally advising and guiding;
3. physically enforcing; for example, by hitting or imprisoning the wrongdoer.

It is necessary that one starts at the first or second level and chooses a method that will be the least troublesome and the most effective. If that method does not yield any result, he must gradually increase the severity and harshness of the methods he uses. If displaying heartfelt aversion and verbally advising and guiding – i.e. the first and second levels – prove ineffective, it then progresses to the physical level. At this level, the obligatory precaution is that he must obtain permission from a fully qualified jurist (*al-ḥākim al-sharʿī*). Furthermore, it is necessary that he starts in a way that causes the least displeasure and trouble, and if that does not yield any result, he must increase the severity and force he uses in his methods; however, it must not reach a point where it causes a bone to break or the body to become wounded.

Ruling 1870. The obligation to enjoin good and forbid evil on every *mukallaf* is greater with respect to his family and relatives. Therefore, if with regard to his family and relatives he feels that they are inattentive to, and unconcerned about, religious obligations such as performing prayers (*ṣalāh*), keeping fasts (*ṣawm*), paying the one-fifth tax (*khums*), and suchlike, or, if he sees that they are careless and fearless with regard to committing unlawful acts such as backbiting and lying, then he must prevent improper actions being performed by them and invite them to do good deeds with a greater sense of importance, while observing the three levels of enjoining good and forbidding evil.

However, with regard to one's mother and father, the obligatory precaution is that he must guide them by adopting a soft and gentle approach, and he must never be harsh with them.

CHAPTER EIGHT

Alms Tax (Zakat)

Ruling 1871. Zakat is obligatory (*wājib*) on ten things:

1. wheat;
2. barley;
3. dates;
4. raisins;
5. gold;
6. silver;
7. camels;
8. cows;
9. sheep;
10. business goods, based on obligatory precaution (*al-iḥtiyāt al-wājib*).

If someone owns one of these ten things, given the conditions that will be mentioned below, he must pay the specified amount in one of the prescribed ways.

CONDITIONS FOR ZAKAT TO BECOME OBLIGATORY (*WĀJIB*)

Ruling 1872. It becomes obligatory on a person to pay zakat on the ten things mentioned above when they reach the taxable limit (*niṣāb*), which will be mentioned later, and they are his personal property, and he is a free person.

Ruling 1873. If someone owns cows, sheep, camels, gold, or silver for eleven months, then even though zakat becomes obligatory on him at the beginning of the twelfth month, he must consider the next year as beginning after the end of the twelfth month.

Ruling 1874. Zakat being obligatory on gold, silver, and business goods is conditional upon its owner being sane (*ʿāqil*) and of the age of legal responsibility (*bāligh*) throughout the year. However, in the case of wheat, barley, dates, raisins, camels, cows, and sheep, it is not a condition that the owner be sane and *bāligh*.

Ruling 1875. Zakat is liable on wheat and barley when they can be called 'wheat' and 'barley'; and zakat on raisins is obligatory when they are grapes; and zakat is liable on dates when Arabs call them 'tāmṛ' [dry dates]. However, the time for determining their *niṣāb* is when they are dry; and the time for paying zakat on wheat and barley is when the grain is threshed and separated from the chaff; and on dates and raisins when they are picked. Therefore, if from this time onwards one delays paying zakat without having a legitimate excuse (*udhr*), and there are persons entitled (*mustaḥiqqūn*) to receive zakat, and the item perishes, then the owner is responsible (*dāmin*) [and he must reimburse it].

Ruling 1876. For zakat to be liable on wheat, barley, raisins, and dates – as defined in the previous ruling – it is not a requirement that they be at the owner's disposal. Therefore, if the goods are not with him or his agent (*wakīl*) – for example, they have been usurped – then it is obligatory on him to pay the zakat that is liable on them whenever he gets them back.

Ruling 1877. If the owner of cows, sheep, camels, gold, and silver is intoxicated or unconscious for part of the year, zakat is not waived for him. The same applies if he is intoxicated or unconscious when zakat on wheat, barley, dates, and raisins becomes obligatory.

Ruling 1878. It is a condition for zakat to be liable on things other than wheat, barley, dates, and raisins, that the owner be able to have disposal over them legally and actually. Therefore, if for a significant period during the year someone usurps them [and so he cannot actually have disposal over them], or if the owner is legally forbidden to have disposal over them, then there is no zakat to pay.

Ruling 1879. If a person borrows gold or silver or any other thing on which it is obligatory to pay zakat and it remains with him for a year, he must pay zakat on it and the lender is not liable. However, if the lender pays zakat on it, then the borrower is exempt from paying it.

ZAKAT OF WHEAT, BARLEY, AND RAISINS

Ruling 1880. Zakat of wheat, barley, dates, and raisins becomes obligatory when their quantity reaches the *niṣāb*, which is 300 ṣā' or approximately 847 kilograms.¹

Ruling 1881. If before paying zakat that is due on grapes, dates, wheat, and barley, a person and members of his family consume them, or, for example, he gives them to a poor person without the intention of paying zakat, he must also pay zakat on the quantity that was consumed or given.

Ruling 1882. If the owner of some wheat, barley, dates, or grapes dies after zakat on them has become obligatory, the zakat on them must be paid from his estate. However, if he dies before zakat on them becomes obligatory, then each one of the heirs whose share reaches the *niṣāb* must pay zakat on their share.

Ruling 1883. A person who has been appointed by a fully qualified jurist (*al-ḥākim al-shar'ī*) to collect zakat can ask for it at the time when the grain is threshed and separated from the chaff, and when dates and grapes become dry. And if the owner does not pay and the thing on which zakat has become obligatory perishes, the owner must give compensation for it.

Ruling 1884. If after a person becomes the owner of a date tree or grape vine, or a crop of wheat or barley, zakat on them becomes obligatory, he must pay it.

Ruling 1885. If after zakat on wheat, barley, dates, and grapes becomes obligatory, one sells the crop and trees, the seller must pay the zakat on them; and in the event that he does so, it is not obligatory on the buyer.

Ruling 1886. If a person buys wheat, barley, dates, or grapes, and he knows that the seller has paid zakat on them, or he doubts (i.e. has a *shakk*) whether the seller has paid zakat on them or not, then zakat

¹ A ṣā' is a measure of weight equivalent to approximately 2.823 kilograms.

is not obligatory on him; but if he knows that the seller has not paid zakat on them, he must pay it. However, if the seller has cheated him, then after paying the zakat he can claim the amount of zakat he paid from the seller.

Ruling 1887. If the weight of wheat, barley, dates, or grapes when they are wet reaches the *niṣāb* and reduces when they become dry, zakat on them is not obligatory.

Ruling 1888. If a person consumes wheat, barley, or dates before the time they become dry, in the event that their weight, when dry, reaches the *niṣāb*, he must pay zakat on them.

Ruling 1889. Dates are of three kinds:

1. dates that are dried; the rule (*ḥukm*) of zakat for this type was mentioned earlier;
2. dates that are in the process of becoming edible *ruṭab* [soft, moist dates];
3. dates that are eaten when they are unripe (*khalāl*).

With regard to the second kind, in the event that their weight when dry reaches the *niṣāb*, the recommended precaution (*al-iḥtiyāt al-mustaḥabb*) is that one pays zakat on them. As for the third kind, what is apparent (*ẓāhir*)² is that zakat is not obligatory on them.

Ruling 1890. Wheat, barley, dates, and raisins on which zakat has been paid are not liable for zakat again even if they remain with a person for some years.

Ruling 1891. If wheat, barley, dates, or grapes are irrigated by rain or a stream, or, if like in Egypt, crops use the moisture that is in the earth, the zakat on them is one-tenth [10%] of them. If they are watered by buckets of water and suchlike, then the zakat on them is one-twentieth [5%].

Ruling 1892. If wheat, barley, dates, or grapes are irrigated by

² For practical purposes in jurisprudential rulings, expressing an apparent ruling equates to giving a fatwa.

both rain and buckets of water and suchlike, in the event that it is commonly considered that their irrigation is by means of buckets of water and suchlike, the zakat on them is one-twentieth [5%]; and if it is commonly considered that their irrigation is by means of a stream or rain, then the zakat on them is one-tenth [10%]; and if it is such that it is commonly considered that their irrigation is by both means, then the zakat on them is three-fortieths [7.5%].

Ruling 1893. In the event that one doubts about whether it would be commonly considered that their irrigation is by both means or, for example, by rain, then it is sufficient if he pays three-fortieths [7.5%].

Ruling 1894. If a person doubts whether it would be commonly considered that their irrigation is by both means or by means of buckets of water and suchlike, it is sufficient to pay one-twentieth [5%]. The same applies if he deems it probable that it would be commonly considered that their irrigation is by rain.

Ruling 1895. If wheat, barley, dates, or grapes are watered by rain and by a stream, and if they do not need buckets of water and suchlike but they are also irrigated by means of buckets of water nevertheless, and if the buckets of water do not help produce an increase in crop, then the zakat on them is one-tenth [10%]. And if they are irrigated by buckets of water and suchlike and do not need stream or rain water but they are also watered by stream and rain water nevertheless, and if the stream and rain water does not help produce an increase in crop, then the zakat on them is one twentieth [5%].

Ruling 1896. If a crop is irrigated by buckets of water and suchlike and crops on the adjacent land utilise the moisture from that land and do not need to be irrigated, then the zakat on the crops that are irrigated by buckets of water is one twentieth [5%], and the zakat on the crops on the adjacent land is, based on obligatory precaution, one tenth [10%].

Ruling 1897. Expenses that one has incurred in the growing of wheat, barley, dates, or grapes cannot be deducted from the produce and thereafter the *niṣāb* calculated. Therefore, if any of them reaches the *niṣāb* before accounting for the expenses, zakat must be paid on it.

Ruling 1898. The seeds that a person uses in his farming – irrespective of whether they are his own or he buys them – cannot be deducted from the produce and thereafter the *niṣāb* calculated; rather, he must calculate the *niṣāb* having accounted for the entire produce.

Ruling 1899. It is not obligatory to pay zakat on the portion the government takes from the produce itself. For example, if the produce is 2000 kilograms and the government takes 100 kilograms in tax, then zakat is obligatory on only 1900 kilograms.

Ruling 1900. Based on obligatory precaution, a person cannot deduct the expenses that he incurs before or after zakat has become due from the produce and pay zakat on only what remains.

Ruling 1901. A person cannot deduct the expenses that he incurs after zakat has become due from the produce; and based on obligatory precaution, [he cannot do this] even if he has obtained permission from a fully qualified jurist or his representative (*wakīl*) to use it.

Ruling 1902. It is not obligatory to wait until wheat and barley is ready for threshing, or until grapes and dates become dry, and then pay zakat; rather, once zakat becomes obligatory, it is permitted (*jā'iz*) to calculate the value of zakat and give the value of it with the intention of zakat.

Ruling 1903. After zakat becomes due, a person can submit the actual crop, dates, or grapes, before it is harvested or picked, to someone entitled to receive it or to a fully qualified jurist, or to their representative, in the form of joint ownership (*mushā'*) and thereafter share the expenses.

Ruling 1904. In case the owner submits the actual crop, dates, or grapes to a fully qualified jurist or to someone entitled to receive it, or to their representative, it is not necessary for him to look after it by way of joint ownership for free; rather, he can charge rent for it staying on his land until the time of their harvest or until they have become dry.

Ruling 1905. If a person owns wheat, barley, dates, or grapes in

various towns which have harvesting times that differ, and if the crops or fruits are not acquired simultaneously but are nevertheless considered to be the produce of one year, then, in the event that the first thing to ripen reaches the *niṣāb*, he must pay zakat on it when it ripens and pay zakat on the rest whenever they are acquired. However, if what ripens first does not reach the *niṣāb*, he must wait until the rest ripens; and if the combined produce reaches the *niṣāb*, zakat becomes obligatory on it; and if it does not reach the *niṣāb* then zakat is not obligatory on it.

Ruling 1906. If a date tree or grape vine bears fruit twice a year, in the event that the combined total of the fruit reaches the *niṣāb*, then based on obligatory precaution, zakat is obligatory on it.

Ruling 1907. If a person possesses a quantity of fresh dates or grapes that would reach the *niṣāb* if they were dry, there is no problem if he gives – with the intention zakat – an amount of the fresh dates or grapes that were they to be dry they would equal the amount of zakat obligatory on him.

Ruling 1908. If the zakat on dried dates or raisins is obligatory on a person, he cannot give their zakat in the form of fresh dates or grapes. In fact, even if he calculates the value of the produce that he must give as zakat and then gives grapes or fresh dates or raisins or even other dried dates equal to that value in payment for the zakat, it is problematic (*maḥall al-ishkāl*) [i.e. based on obligatory precaution, he cannot do this].³ Similarly, if the zakat on fresh dates or grapes is obligatory on him, he cannot give their zakat in the form of dried dates or raisins. And even if he gives other dates or grapes, albeit fresh ones, in payment for the value of the produce, it is also problematic [i.e. based on obligatory precaution, he cannot do this either].

Ruling 1909. With regard to someone who has a debt and possesses the actual property on which zakat has become obligatory, if he dies, the entire zakat must be paid from the property on which zakat has become obligatory, and then the debt must be repaid. However, if he is liable to pay a debt of zakat [as opposed to his actual property

³ As mentioned in Ruling 6, the term 'problematic' (*maḥall al-ishkāl*) amounts to saying the ruling is based on obligatory precaution.

having become liable for zakat], then this debt is like his other debts.⁴

Ruling 1910. With regard to someone who has a debt but possesses wheat, barley, dates, or grapes, if he dies and his inheritors pay his debt from some other wealth before zakat on these items becomes obligatory, then the inheritor whose share reaches the *niṣāb* must pay zakat on it. And if the debt is not paid before zakat on these items becomes obligatory, in the event that the property of the deceased is sufficient only to repay his debt, it is not obligatory to pay zakat. However, if the property of the deceased is more than his debt, in the event that his debt is such that if they wanted to repay it they would need to pay the creditor an amount from the wheat, barley, dates and grapes, then what they give to the creditor is not liable for zakat. As for the rest of the property, the inheritor whose share reaches the *niṣāb* must pay zakat on it.

Ruling 1911. If some of the wheat, barley, dates, and raisins on which zakat has become obligatory is of superior quality and some of it is of inferior quality, the obligatory precaution is that one must not use inferior quality produce to pay zakat that is due on the superior quality produce.

THE TAXABLE LIMIT (*NIṢĀB*) FOR GOLD

Ruling 1912. There are two *niṣābs* for gold.

1. Twenty legal (*sharʿī*) *mithqāls*.⁵ A legal *mithqāl* is eighteen *nukhuds*.⁶ Therefore, when gold reaches the weight of twenty legal *mithqāls* – which is equivalent to fifteen common (*ṣayrafī*) *mithqāls* – and if the other conditions that were mentioned are

⁴ This means that if the combined total of his zakat debt and his other debts is equal to or less than his estate, his zakat debt and his other debts must be repaid. However, if the combined total of his zakat debt and his other debts is more than his estate, his estate must be proportionally divided between those entitled to receive zakat and his creditors.

⁵ One legal *mithqāl* is equivalent to approximately 3.51 grams; therefore, twenty legal *mithqāls* is equal to approximately 70.2 grams.

⁶ A *nukhud* is a measure of weight. One *nukhud* is equivalent to approximately 0.195 grams.

fulfilled, one must pay one-fortieth [2.5%] – which is equivalent to nine *nukhuds* – as zakat. As long as gold does not reach this amount, zakat is not obligatory on it.

2. Four legal *mithqāls*, which is equivalent to three common *mithqāls*, meaning that if three [common] *mithqāls* are added to fifteen [common] *mithqāls*, then one must pay zakat on the entire eighteen *mithqāls*, which is equivalent to one-fortieth [2.5%]. And if less than three *mithqāls* is added, then he must pay zakat on only fifteen *mithqāls* [which was the first *niṣāb* mentioned above], and the extra is not liable for zakat. The same applies to every other addition, meaning that if three *mithqāls* are added, one must pay zakat on the entire amount; and if less than three *mithqāls* is added, the added amount is not liable for zakat.

THE NIṢĀB FOR SILVER

Ruling 1913. There are two *niṣābs* for silver.

1. 105 common *mithqāls*. Therefore, if silver reaches 105 *mithqāls* and the other conditions that were mentioned are fulfilled, one must pay one-fortieth [2.5%] – which is equivalent to two *mithqāls* and fifteen *nukhuds* – as zakat. As long as silver does not reach this amount, zakat is not obligatory on it.
2. Twenty-one *mithqāls*, meaning that if twenty-one *mithqāls* are added to 105 *mithqāls*, then one must pay zakat on the entire 126 *mithqāls* in a manner that was previously mentioned. And if less than twenty-one *mithqāls* are added, then he must pay zakat on only 105 *mithqāls* [which was the first *niṣāb* mentioned above], and the extra is not liable for zakat. The same applies to every other addition, meaning that if twenty-one *mithqāls* are added, one must pay zakat on the entire amount; and if less than twenty-one *mithqāls* are added, the added amount is not liable for zakat. If a person doubts whether or not silver has reached the *niṣāb*, then based on obligatory precaution, he must enquire.

Ruling 1914. If the gold or silver that someone owns has reached the *niṣāb*, then even if he has paid zakat on it he must continue paying zakat on it every year as long as it does not fall below the *niṣāb*.

Ruling 1915. Zakat on gold and silver becomes obligatory in the event that it is minted and used prevalently in transactions. And if the stamped effects have been effaced but it is still used prevalently in transactions, zakat on it must be paid. However, if it is no longer used prevalently, it is not liable for zakat even if its stamped effects remain.

Ruling 1916. In the event that minted gold and silver coins that are used by women as ornaments are used prevalently in transactions – meaning that gold and silver are used as money in transactions – then based on obligatory precaution, zakat is obligatory on them. However, if they are not used prevalently in transactions, then zakat is not obligatory on them.

Ruling 1917. If a person owns gold and silver and neither of them is equal to the first *niṣāb* – for example, he owns 104 *mithqāls* of silver and fourteen *mithqāls* of gold – then zakat is not obligatory on them.

Ruling 1918. As stated earlier, zakat on gold and silver becomes obligatory when a person maintains ownership of their *niṣāb* for eleven months, and if during those eleven months the amount of gold and silver falls below the first *niṣāb* for each of them, then zakat is not obligatory on them.

Ruling 1919. If during the period of eleven months a person exchanges the gold or silver that he owns with something else, or he melts them, then zakat is not obligatory on him. However, if in order to escape paying zakat he exchanges them for gold and silver – meaning that he exchanges gold for gold or for silver, or he exchanges silver for silver or for gold – then the obligatory precaution is that he must pay zakat on them.

Ruling 1920. If a person melts gold and silver coins in the twelfth month, he must pay zakat on them; and if as a result of melting the coins their weight or value decreases, he must pay the amount of zakat that was obligatory on him prior to melting them.

Ruling 1921. If gold or silver coins contain a more than usual quantity of alloy, then if they can be called gold and silver coins and they reach the *niṣāb*, zakat on them is obligatory even if the quantity that is pure does not reach the *niṣāb*. However, if they can no longer be called gold and silver coins, then zakat is not obligatory on them even if the quantity that is pure reaches the *niṣāb*.

Ruling 1922. If a person owns gold or silver coins that are mixed with a usual amount of alloy, there is no problem if he pays zakat on them in gold and silver coins that contain more than the usual amount of alloy in them, or in coins that are not of gold or silver. However, in such a case, the value of the coins he pays in must be equal to the value of the zakat that is obligatory on him.

ZAKAT OF CAMELS, COWS, AND SHEEP

Ruling 1923. In addition to the conditions mentioned previously, the zakat of camels, cows, and sheep has one more condition: that the animal must graze in open fields for the entire year. Therefore, if during the entire year or part of the year it grazes on pre-cut grass, or it grazes on crops belonging to its owner or someone else, then it is not liable for zakat. However, if during the entire year the animal grazes on only a small amount of the owner's grass such that it can be commonly said that the animal has grazed the entire year in open fields, then zakat on it becomes obligatory. Furthermore, with regard to camels, cows, and sheep, it is not a condition that they must not have worked during the entire year; rather, zakat on them is obligatory if they are used for irrigation, ploughing, and similar work as long as it can be commonly said that they have not worked. In fact, even if this cannot be said, based on obligatory precaution, zakat on them must be paid.

Ruling 1924. If a person buys or rents for his camels, cows, and sheep, pasture land which has not been cultivated by anyone, the obligatory precaution is that zakat must be given; and if he pays tax for grazing his animals there, he must pay zakat.

The *niṣāb* for camels

Ruling 1925. There are twelve *niṣābs* for camels.

1. Five camels, and the zakat payable is one sheep. As long as the number of camels does not reach this amount, zakat is not liable on them.
2. Ten camels, and the zakat payable is two sheep.
3. Fifteen camels, and the zakat payable is three sheep.
4. Twenty camels, and the zakat payable is four sheep.
5. Twenty-five camels, and the zakat payable is five sheep.
6. Twenty-six camels, and the zakat payable is one camel that is in its second year.
7. Thirty-six camels, and the zakat payable is one camel that is in its third year.
8. Forty-six camels, and the zakat payable is one camel that is in its fourth year.
9. Sixty-one camels, and the zakat payable is one camel that is in its fifth year.
10. Seventy-six camels, and the zakat payable is two camels that are in their third year.
11. Ninety-one camels, and the zakat payable is two camels that are in their fourth year.
12. 121 camels and above, and the zakat payable for every forty camels is one camel that is in its third year; and for every fifty camels, one camel that is in its fourth year. A person can also calculate the zakat based on groups of forty-five; and in some cases, such as 200 camels, he has the choice of calculating them in groups of forty or fifty.

However, in every case, he must calculate the zakat in a way that there is no remainder, or if there is then it must not exceed nine camels. For example, if he owns 140 camels, for 100 of them he must give two camels that are in their fourth year, and for the remaining forty, he must give one camel that is in its third year.

Camels that are given as zakat must be female. However, if in the sixth *niṣāb* one does not own a female camel that is in its second year, it is sufficient to give a male camel in its third year. And if a person does not own one of these either, he has a choice in what he purchases

[i.e. he can purchase either a female camel that is in its second year, or a male camel that is in its third year, and give that as the zakat].

Ruling 1926. Paying zakat is not obligatory on the number of camels between two *niṣābs*. Therefore, if the number of camels that a person owns is more than the first *niṣāb*, which is five camels, but it does not reach the second *niṣāb*, which is ten camels, he must pay zakat on only five camels. The same applies to all the other *niṣābs*.

The *niṣāb* for cows

Ruling 1927. There are two *niṣābs* for cows.

1. Thirty cows; when the number of cows a person owns reaches thirty – and if the other conditions that were mentioned are fulfilled as well – he must pay one calf that is in its second year as zakat; and the obligatory precaution is that it must be a male calf.
2. Forty cows, and the zakat payable is one female calf that is in its third year. Paying zakat is not obligatory on the number of cows between thirty and forty. For example, if someone has thirty-nine cows, he must pay zakat on only thirty cows; and if he has more than forty cows, then as long as the number does not reach sixty, he must pay zakat on only forty cows; and after reaching sixty, as it is twice the number of the first *niṣāb*, he must give two calves that are in their second year. The same applies if the number of cows increases; i.e. he must either calculate in groups of thirty, forty, or both, and he must pay zakat in accordance with the rule explained earlier. However, he must calculate the zakat in a way that there is no remainder, or if there is, it must not exceed nine cows. For example, if he owns seventy cows, he must calculate them in groups of thirty and forty because if he calculates only in groups of thirty, there will be ten cows remaining on which he will not pay zakat. In some cases, such as 120, he has the choice.

The *niṣāb* for sheep

Ruling 1928. There are five *niṣābs* for sheep.

1. Forty sheep, and the zakat payable is one sheep. As long as the number of sheep does not reach this amount, zakat is not liable on them.
2. 121 sheep, and the zakat payable is two sheep.
3. 201 sheep and the zakat payable is three sheep.
4. 301 sheep, and the zakat payable is four sheep.
5. 400 sheep and above, and the zakat payable for every 100 sheep is one sheep. It is not necessary that zakat be paid from the same sheep; rather, it is sufficient if some other sheep or the monetary value of the sheep is given.

Ruling 1929. Paying zakat is not obligatory on the number of sheep between two *niṣābs*. Therefore, if the number of sheep that a person owns is more than the first *niṣāb*, which is forty sheep, but it does not reach the second *niṣāb*, which is 121 sheep, he must pay zakat on only forty sheep, not on more than that. The same applies to all the other *niṣābs*.

Ruling 1930. Zakat is obligatory on camels, cows, and sheep that reach the *niṣāb*, irrespective of whether all of them are male, or all of them are female, or some of them are male and others are female.

Ruling 1931. In matters of zakat, cows and buffaloes are counted as one species, and Arabian and non-Arabian camels are counted as one species. Similarly, goats, ewes, and year-old lambs are not considered differently for the purposes of zakat.

Ruling 1932. If a person gives one sheep as zakat, then based on obligatory precaution, it must be at least in its second year; and if one gives a goat, then as an obligatory precaution it must be in its third year.

Ruling 1933. There is no problem if the value of the sheep that is given as zakat is slightly lower than his other sheep. However, it is better that he gives a sheep whose value is higher than his other sheep. The same applies to cows and camels.

Ruling 1934. If a few people are partners, the one whose share reaches the first *niṣāb* must pay zakat; and zakat is not obligatory on those

whose shares are less than the first *niṣāb*.

Ruling 1935. If a person owns cows, camels, or sheep in various places and their combined total reaches the *niṣāb*, he must pay zakat on them.

Ruling 1936. If the cows, sheep, and camels that a person owns are sick or have a defect, they are still liable for zakat.

Ruling 1937. If all the cows, sheep, and camels that a person owns are sick or have a defect or are old, he can pay the zakat on them from them. However, if they are all healthy, have no defect, and are young, then he cannot pay the zakat on them from sick animals or from those that have a defect or are old. In fact, if some of them are healthy and others sick, or some have a defect and others do not, or some are old and others young, the obligatory precaution is that for their zakat he must give those animals that are healthy, do not have a defect, and are young.

Ruling 1938. If before the eleventh month is complete one exchanges the cows, sheep, and camels that he owns with something else, or he exchanges the *niṣāb* he owns with a *niṣāb* of the same species – for example, he gives forty sheep and procures another forty sheep in return – then zakat is not obligatory on him as long as this is not done with the intention to escape paying zakat. However, if it is done with such an intention, then in case both sets of animals confer the same type of benefit – for example, both sets of sheep are milk-giving sheep – the obligatory precaution is that he must pay zakat on them.

Ruling 1939. If a person who must pay zakat on cows, sheep, and camels pays it from other wealth that he owns, he must pay zakat on the animals every year as long as their number does not fall below the *niṣāb*. And if he pays in the animals themselves and their number falls below the first *niṣāb*, then zakat is not obligatory on him. For example, if someone who owns forty sheep pays zakat on them from his other wealth, then as long as the number of sheep does not fall below forty, he must give one sheep every year; and if he pays from the sheep, then zakat is not obligatory on him until the number of sheep reaches forty.

ZAKAT ON BUSINESS GOODS

Goods which a person comes to own through a contract of exchange (*‘aqd al-mu‘āwadah*)⁷ and which he keeps for business and profit earning is, based on obligatory precaution, liable for zakat if certain conditions are fulfilled. The zakat on such property is one-fortieth [2.5%]. The conditions are as listed below.

1. The owner must be *bāligh* and sane.
2. The goods must have a value of at least fifteen *mithqāls* of coined gold or fifteen *mithqāls* of coined silver.
3. One year must have passed from the time the owner intended to make profit from the goods.
4. The intention to make profit must remain throughout the year; therefore, if the owner changes his mind during the year and, for example, decides to spend it on his living expenses, then zakat is not obligatory.
5. The owner must have right of disposal over them throughout the year.
6. Throughout the year, the goods must be saleable for an amount that is equal to, or more than, the capital outlay. Therefore, if during a period of the year the goods are not saleable for the amount that is [at least] equal to the capital outlay, it is not obligatory on him to pay zakat on them.

DISTRIBUTION OF ZAKAT

Ruling 1940. Zakat can be distributed in eight ways.

1. It can be given to a poor person (*faqīr*). A poor person is defined as someone who does not possess the means to meet his and his family's expenses for one year. Therefore, someone who has a trade, or property, or capital by means of which he can meet these expenses for a year, is not a poor person.
2. It can be given to a needy person (*miskīn*). A needy person is defined as someone whose living conditions are worse than

⁷ This is a contract in which something is given in exchange for something else.

that of a poor person.

3. It can be given to a person who has been appointed by the Imam ('A) or his representative (*nā'ib*) to collect and safeguard zakat, maintain its accounts, and deliver it to the Imam ('A), his representative, or to the poor.
4. It can be given to disbelievers (*kuffār*) who will be inclined to the religion of Islam if zakat is given to them, or who will assist Muslims in battle or in some other matter. Zakat can also be given to Muslims whose faith in some of the Holy Prophet's (S) teachings is weak but which will be strengthened as a result of giving zakat to them. Furthermore, zakat can be given to a Muslim who does not believe in the vicegerency (*wilāyah*) of the Commander of the Faithful [Imam 'Alī] ('A) but who will be inclined to believe in it if zakat is given to him.
5. To buy and free slaves, the details of which are mentioned in their appropriate place.
6. It can be given to a person who is in debt but is unable to repay his debt.
7. In the way of Allah (*fī sabīl Allah*), i.e. acts that benefit the general Muslim public, such as building mosques and religious schools, keeping the town clean, tarmacking and expanding roads, and suchlike.
8. It can be given to a stranded traveller (*ibn al-sabīl*).

These are the ways in which zakat can be spent; however, in the third and fourth cases, the owner cannot spend zakat without the permission of the Imam ('A) or his representative. And based on obligatory precaution, in the seventh case, the owner must obtain permission from a fully qualified jurist. The laws (*aḥkām*) concerning these ways will be explained in the following rulings (*masā'il*).

Ruling 1941. The obligatory precaution is that a poor or needy person must not receive zakat that is more than his and his family's expenses for one year. If he has some money or goods, he must only receive an amount of zakat that makes up the shortfall for what he needs in order to meet his expenses for a year.

Ruling 1942. If a person has sufficient means to meet his expenses for a year and spends part of it, and then he doubts whether or not

the remaining amount will be sufficient to meet his expenses for one year, he cannot receive zakat.

Ruling 1943. A craftsman, proprietor, or a businessman whose income is less than his expenses for one year can receive zakat to meet his shortfall, and it is not necessary for him to sell his tools or property or to spend his capital in order to meet his expenses.

Ruling 1944. A poor person who does not possess the means to meet his and his family's expenses for one year can receive zakat even if he owns a house in which he lives, or he possesses a vehicle without which he cannot lead his life or uphold his respect. The same applies to household furniture, utensils, summer and winter clothes, and other things needed by him. And if a poor person does not have such things but needs them, he can purchase them from zakat.

Ruling 1945. A poor person who can work and thereby meet his and his family's expenses but does not do so due to laziness is not permitted to receive zakat. A poor student for whom working will be an obstacle to him continuing with his studies cannot in any case receive the portion of zakat that is for poor people unless studying for him is an individual obligation (*al-wājib al-ʿaynī*).⁸ As for receiving it from the 'in the way of Allah' portion of zakat, it is permitted if his education will benefit the general public and, based on obligatory precaution, it is given with the permission of a fully qualified jurist. A poor person for whom it is not difficult to learn a trade cannot, based on obligatory precaution, live on zakat, although he can receive zakat while he is learning the trade.

Ruling 1946. One can give zakat to a person who was previously poor and who says he is poor now even if he does not attain confidence (*iṭmi'nān*) in his statement. However, based on obligatory precaution, one cannot give zakat to a person about whom it is not known whether or not he was previously poor [and who says he continues to be poor] until he attains confidence about him being poor.

Ruling 1947. If a person that was not poor previously says he is poor

⁸ This is an obligation that every duty-bound person must perform irrespective of whether or not others have also performed it.

now, in the event that confidence cannot be derived from what he says, zakat cannot be given to him.

Ruling 1948. If a person who must give zakat is owed some amount by a poor person, he can count the amount he is owed by the poor person towards his zakat.

Ruling 1949. If a poor person dies and his estate is insufficient to repay his debt, one may count the amount he is owed by the deceased towards his zakat. In fact, if his property is sufficient to repay his debt but his inheritors do not settle his debt, or, if for some other reason one cannot reclaim the money he loaned the deceased, he can count the amount he is owed towards his zakat in this case as well.

Ruling 1950. If a person gives something to a poor person with the intention of zakat, it is not necessary for him to tell him it is zakat. In fact, if the poor person is ashamed by taking zakat, it is recommended that he gives it to him with the intention of zakat but without disclosing to him that it is zakat.

Ruling 1951. If a person gives someone zakat thinking that he is poor and later realises that he was not poor, or, if on account of not knowing the ruling he gives zakat to someone whom he knows is not poor, it is not sufficient [and he will not have discharged his duty]. Therefore, in the event that the item he gave the beneficiary still exists, he must take it back from him and give it to someone entitled to receive zakat. However, if the item does not exist and the beneficiary knew it was given to him as zakat, then he can claim its replacement from the beneficiary and give it to someone entitled to receive zakat; but, if the beneficiary did not know it was zakat, he cannot take anything from him and he must give zakat again from his own property to someone entitled to receive it, even if, based on obligatory precaution, he investigated about the poor person or he relied upon something that was legally authoritative (*al-hujjah al-shar'īyyah*) [such as the statement of a reliable person].

Ruling 1952. A person who is in debt but is unable to repay his debt – even if he has the means to meet his expenses for one year – can receive zakat in order to repay his debt. However, he must not have

spent the loan for a sinful purpose.

Ruling 1953. If a person gives zakat to someone who is in debt but who is unable to repay his debt and he later realises that the beneficiary spent the loan for a sinful purpose, in the event that the debtor is poor, the benefactor can count what he gave him towards the portion of zakat that is given to poor people.

Ruling 1954. With regard to a person who is in debt but is unable to repay his debt, the lender can count the amount owed to him by the person as zakat even if the person is not poor.

Ruling 1955. If a traveller runs out of funds or his means of transportation stops functioning, in the event that the purpose of his journey is not sinful and he cannot reach his destination by borrowing or by selling something, he can receive zakat even if he is not a poor person in his home town (*watan*). However, if he can procure funds for his journey at another place by borrowing money or by selling something, then he can receive zakat up to the amount that will enable him to get to that place. And based on obligatory precaution, if he can raise money by selling or renting some property in his home town for the expenses of his journey, he must not receive zakat.

Ruling 1956. If a stranded traveller has received zakat and after reaching his home town finds that some of the zakat has remained unspent, in the event that he cannot return it to the benefactor, he must return it to a fully qualified jurist stating that it is zakat.

CRITERIA FOR BEING ENTITLED TO RECEIVE (*MUSTAḤIQQ*) ZAKAT

Ruling 1957. The person to whom one gives zakat must be a Twelver (Ithnā 'Asharī) Shia. If he gives zakat to a person whom he believes to be a Shia and later realises that he was not a Shia, then based on obligatory precaution, he must give zakat again even if he had made investigations about the person or he had relied upon something that was legally authoritative.

Ruling 1958. If a child or an insane person is a Shia and poor, one may give zakat to his guardian (*wali*) with the intention that what he gives is the property of the child or the insane person. Furthermore, he can, either by himself or through a trustworthy person, spend zakat on the child or on the insane person, in which case he must make the intention of zakat when he does so.

Ruling 1959. A person can give zakat to a poor person who begs provided that the fact of his poverty is established. However, one must not give zakat to a person who spends it for sinful purposes. In fact, the obligatory precaution is that zakat must not be given to someone who, as a result of receiving it, is encouraged to commit sins even if he does not spend it directly for sinful purposes.

Ruling 1960. The obligatory precaution is that one must not give zakat to a person who consumes alcohol, or does not perform prayers, or publicly commits major sins.

Ruling 1961. If a person is in debt but is unable to repay his debt, one can repay it for him from zakat even if his expenses are obligatory on him.

Ruling 1962. A person cannot pay for the living expenses of those whose expenses are obligatory on him – such as his children – from zakat. However, if he does not pay for their living expenses, then others can give zakat to them. And if he is unable to give obligatory maintenance (*nafaqah*) for those whom it is obligatory on him to give obligatory maintenance, and if zakat is obligatory on him, he can give their obligatory maintenance from zakat.

Ruling 1963. There is no problem if one gives zakat to his son so that he can pay for the living expenses of his wife, servant, or maid, or so that he can repay his loan, provided that his son satisfies all the other criteria for being entitled to receive zakat.

Ruling 1964. A father cannot buy educational and religious books that are required by his son from the ‘in the way of Allah’ portion of zakat and make them available to him unless the general public interest necessitates it, and, based on obligatory precaution, he

obtains permission from a fully qualified jurist.

Ruling 1965. A father can use zakat to get his poor son married, and the same applies to the son with regard to his father.

Ruling 1966. Zakat cannot be given to a woman whose husband provides for her living expenses, nor to a woman whose husband does not provide for her living expenses but who has the power to compel him to give them to her, even by referring to an unjust ruler (*al-ḥākim al-jā'ir*).

Ruling 1967. If a woman who has contracted a fixed-term marriage (*mut'ah*) is poor, her husband and others can give her zakat. However, if she had stipulated in the contract that her husband must pay for her living expenses, or, if paying for her living expenses is obligatory on him for some other reason and he does pay for her living expenses, then zakat cannot be given to her.

Ruling 1968. A woman can give zakat to her husband who is poor even if the husband spends that zakat on her living expenses.

Ruling 1969. A *sayyid*⁹ cannot accept zakat from someone who is not a *sayyid* except in case of necessity; and based on obligatory precaution, the necessity must be to the extent that he cannot meet his living expenses from *khums* or other religious funds. Furthermore, based on obligatory precaution, if it is possible he must, on a daily basis, take only an amount that is sufficient to meet his necessary living expenses for that day.

Ruling 1970. Zakat can be given to a person whom one does not know whether he is a *sayyid* or not. However, if that person himself claims that he is a *sayyid* [it is not permitted to give him zakat] and if one does give him zakat he will not be exempted from the obligation.

⁹ A *sayyid* is a male descendant of Hashim, the great grandfather of Prophet Muḥammad (S).

INTENTION (*NIYYAH*) FOR GIVING ZAKAT

Ruling 1971. A person must give zakat with the intention of *qurbah*, i.e. in humility to the Lord of the worlds. If he gives zakat without the intention of *qurbah*, it is sufficient [in the sense that he will be deemed as having given the zakat that was obligatory on him], although he will have committed a sin. Furthermore, he must specify in his intention whether what he is giving is zakat on property or *zakāt al-ḥiṭrah*.¹⁰ In fact, if, for example, zakat on wheat and barley is obligatory on him and he wants to pay a sum of money equal to the value of the zakat on them, he must specify whether he is paying zakat that is due on the wheat or on the barley.

Ruling 1972. If it is obligatory on a person to give zakat on various items, and he gives some zakat without specifying in his intention which item it relates to, in the event that the thing he has given is of the same type as one of the items, it will be counted as zakat of that particular thing. For example, if it is obligatory on him to give zakat on forty sheep and on fifteen *mithqāls* of gold, and he gives one sheep as zakat without specifying in his intention if it is zakat of the sheep or the gold, then it will be counted as zakat of the sheep. However, if he gives some silver coins or notes of money (i.e. a different type of commodity to sheep and gold), then, according to some [jurists], it must be divided between both of them [i.e. for paying both the zakat on the sheep and on the gold]. However, this is problematic [i.e. based on obligatory precaution, it does not suffice], and it is probable that it cannot be counted as zakat for any of them and that it remains the owner's property.

Ruling 1973. If a person appoints someone as his agent to give away the zakat of his property, he must make the intention when he hands over the zakat to him; and the recommended precaution is that he should maintain that intention until the zakat reaches the poor.

¹⁰ The rules concerning *zakāt al-ḥiṭrah* are mentioned in Ruling 2003 and onwards.

MISCELLANEOUS RULINGS ON ZAKAT

Ruling 1974. When wheat and barley are separated from the chaff, and when dates and grapes become dry, one must give zakat to the poor or separate it from his property. The zakat on gold, silver, cows, sheep, and camels must be given to the poor or separated from one's property after the eleventh month is complete.

Ruling 1975. After separating zakat [from one's property], it is not necessary that he immediately gives it to someone who is entitled to receive it, and there is no problem if it is delayed because of a rationally acceptable reason.

Ruling 1976. If a person can deliver zakat to someone entitled to receive it but does not do so and the zakat perishes due to his negligence, he must give it again in replacement.

Ruling 1977. If a person can deliver zakat to someone who is entitled to receive it but does not do so and it perishes without him being negligent in looking after it, in the event that he did not have a valid reason for the delay, he must give zakat again in replacement for it. In fact, even if he had a good reason for the delay – for example, he had intended to give it to a poor person in particular, or he wanted to distribute it to poor people gradually – then based on obligatory precaution, he is responsible for it.

Ruling 1978. If a person puts aside zakat from his property, he can still use the rest of his property; and if he puts aside zakat from some other property of his, he can still use his entire property.

Ruling 1979. A person cannot use for himself zakat that he has set aside and replace it with something else.

Ruling 1980. If some profit accrues from the zakat that a person has set aside – for example, a sheep that has been kept aside for zakat gives birth to a lamb – then the profit is subject to the same rules as the zakat.

Ruling 1981. If someone who is entitled to receive zakat is present

when a person sets aside zakat, it is better that he gives the zakat to him unless he has someone else in mind and for some reason it is better to give it to that other person instead.

Ruling 1982. If a person transacts with the property that he has set aside as zakat without the permission of a fully qualified jurist and incurs a loss, he must not deduct anything from the zakat. However, if he makes a profit, then based on obligatory precaution, he must give it to someone who is entitled to receive zakat.

Ruling 1983. If before zakat becomes obligatory on a person he gives something to the poor as zakat, he cannot count it as zakat. However, if afterwards when zakat becomes obligatory on him the thing that he gave to the poor has not perished and that poor person has remained poor, he can count the thing he gave him as zakat.

Ruling 1984. If a poor person knows that zakat has not become obligatory on someone and yet takes something from him as zakat and it perishes while it is with him, he is responsible for it. However, when zakat becomes obligatory on the person, if the poor person has remained poor, he can count the thing that he gave him as zakat.

Ruling 1985. If a poor person does not know that zakat has not become obligatory on someone and he takes something from him as zakat and it perishes while it is with him, he is not responsible for it; and the person who gave the thing cannot count it as zakat.

Ruling 1986. It is recommended for one to give zakat on cows, sheep, and camels to poor persons who are respectable; and in giving zakat, he should prefer his relatives and learned and virtuous persons over others, and those who do not beg over those who beg, although, it is possible that it may be better to give zakat to a poor person for some other reason.

Ruling 1987. It is better that zakat be given openly and that recommended (*mustahabb*) alms to the poor (*sadaqah*) be given secretly.

Ruling 1988. If in the town of the person who wants to give zakat there is no one entitled to receive it and he cannot spend it in another

way for which it was specified, he can transfer the zakat to another place. In this case, if he is not negligent in looking after it but it perishes nevertheless, he is not responsible for it. Furthermore, he can obtain agency (*wikālah*) from a fully qualified jurist for it, and with the permission of a fully qualified jurist he can transfer it to another place. In this case too, he is not responsible for any loss, and he can take the transportation expenses from the zakat.

Ruling 1989. If someone entitled to receive zakat is found in one's town, he can still take it to another town but he must pay the expenses for transferring it to that town himself; and if the zakat perishes, he is responsible for it unless he took it in compliance with the command of a fully qualified jurist.

Ruling 1990. The charges for weighing and measuring wheat, barley, raisins, and dates that a person gives as zakat must be paid by himself.

Ruling 1991. It is disapproved (*makrūh*) for a person to request someone entitled to receive zakat to sell him the zakat that he gave him. However, if the person entitled to receive zakat wants to sell the thing he received, then after its price has been determined, the person who gave him the zakat has the first option to buy it.

Ruling 1992. If a person doubts whether or not he gave the zakat that was obligatory on him and the property that was subject to zakat still exists, he must give zakat even if his doubt is about the zakat of previous years. However, if the property has perished, then zakat is not liable on it even if it relates to the current year.

Ruling 1993. A poor person cannot settle for a lesser amount of zakat before receiving it, nor can he accept something that is more expensive than the value of the zakat. Furthermore, an owner cannot give zakat to someone entitled to receive it on condition that he must return it to him. However, there is no problem if after receiving it, the entitled person consents to returning it to him. For example, if someone who owes a lot of zakat but has become poor and cannot give it, and he has repented, and a poor person consents to taking his zakat from him and gifting it back to him, there is no problem.

Ruling 1994. A person cannot purchase the Qur'an, religious books, or books of supplications (*du'ā's*) from the 'in the way of Allah' portion of zakat and give them as a charitable endowment (*waqf*) unless the general public benefit necessitates it, and, based on obligatory precaution, he obtains permission from a fully qualified jurist.

Ruling 1995. A person cannot buy property from zakat and give it as a charitable endowment to his children or to those whose living expenses are obligatory on him in order that they spend the income generated from that property on their living expenses.

Ruling 1996. A person can take from the 'in the way of Allah' portion of zakat for hajj, *ziyārah*,¹¹ or suchlike, even if he is not poor or he has already taken an amount of zakat that is equal to his annual living expenses, provided that going for hajj, *ziyārah*, or suchlike is in the general public interest, and, based on obligatory precaution, he has obtained permission from a fully qualified jurist for using zakat in this way.

Ruling 1997. If the owner of a property makes a poor person his representative for distributing the zakat of his property, in the event that the poor person deems it probable that the owner did not intend for him to take zakat for himself as well, he cannot take anything from it for himself; but, if he has certainty (*yaqīn*) that this was not the intention of the owner, then he can take from it for himself.

Ruling 1998. If a poor person takes camels, cows, sheep, gold, or silver as zakat, in the event that the conditions for zakat to become obligatory are fulfilled with regard to those items, he must give zakat on them.

Ruling 1999. If two people jointly own a property on which zakat is obligatory and one of them gives zakat for his share and thereafter they divide the property, then even if he knows that his partner has not given zakat on his share and is not going to give it afterwards, there is no problem.

¹¹ *Ziyārah* is a visitation to the place of burial of a holy personality or to a holy place.

Ruling 2000. If a person owes the one-fifth tax (*khums*) or zakat, and recompense (*kaffārah*), vow (*nadhr*), and suchlike are also obligatory on him, and he has debt as well, in the event that he cannot pay all of these obligations and the property on which *khums* and zakat is obligatory has not perished, he must pay the *khums* and zakat; and if it has perished, then paying zakat, *khums*, and settling his debt has priority over *kaffārah* and *nadhr*.

Ruling 2001. If a person owes *khums* or zakat, and *hajjat al-islām*¹² is obligatory on him, and he has debt as well, then, if he dies and his estate is not sufficient for all of these obligations, in the event that the property on which *khums* and zakat is obligatory has not perished, the *khums* and zakat must be paid and the rest of his estate must be used to settle his debt. However, if the property on which *khums* and zakat is obligatory has perished, then his estate must be used to settle his debt; and if after this anything is left, it must be spent for [hiring a representative to perform] hajj [on the deceased's behalf]; and if after this anything remains, it must be divided between the *khums* and zakat debts.

Ruling 2002. If a person is engaged in acquiring knowledge, and if he were not acquiring knowledge he could be working for a living, in the event that acquiring that knowledge is an individual obligation, the portion of zakat for the poor can be given to him. And if acquiring that knowledge is in the public interest, then it is permitted to give zakat to him from the 'in the way of Allah' portion with, based on obligatory precaution, the permission of a fully qualified jurist. In cases other than these two, it is not permitted to give zakat to him.

THE FIṬRAH ALMS TAX (ZAKĀT AL-FIṬRAH)

Ruling 2003. A person who at the time of sunset on the eve of Eid al-Fiṭr¹³ is *bāligh* and sane, and not unconscious, poor, or a slave, must give on his behalf and on behalf of those who are dependent

¹² *Hajjat al-islām* is the term used for the hajj that is obligatory on a Muslim to perform once in his lifetime as a fundamental precept of the religion, as opposed to a hajj that is obligatory on a Muslim by means of a vow and suchlike.

¹³ The 1st of Shawwāl.

on him, one *ṣāʿ* – which is approximately three kilograms – of food per head to someone who is entitled to receive zakat. The food that he gives must be considered to be a staple food in his town, such as wheat, barley, dates, raisins, rice, millet, or something similar, and it suffices if he gives the food's monetary value instead. The obligatory precaution is that food that is not considered to be staple in his town must not be given as zakat even if what he gives is wheat, barley, dates, or raisins.

Ruling 2004. If a person cannot meet his and his family's living expenses for one year and does not have an occupation by which he can meet his and his family's expenses for one year, then such a person is a poor person and it is not obligatory on him to give *zakāt al-fiṭrah*.

Ruling 2005. A person must give *fiṭrah* on behalf of all those who are considered to be his dependents at the time of sunset on the eve of Eid al-Fiṭr, irrespective of whether they are young or old, Muslims or disbelievers, and whether it is obligatory on him to pay for their living expenses or not, and whether they are in his town or in another town.

Ruling 2006. If a person appoints his dependant who is in another town to be his agent and give the dependant's *fiṭrah* from that person's property, in the event that he is confident that he will give the *fiṭrah*, it is not necessary for the person to give his dependent's *fiṭrah* himself.

Ruling 2007. It is obligatory on one to give the *fiṭrah* of a guest who arrives at his house before sunset on the eve of Eid al-Fiṭr and spends the night at his place and is considered to be his dependent, albeit only temporarily.

Ruling 2008. The *fiṭrah* of a guest who arrives at one's house after sunset on the eve of Eid al-Fiṭr is, based on precaution, obligatory on the host provided that the guest is considered to be the host's dependent; otherwise, it is not. If a person is invited to break his fast (*ifṭār*) on the eve of Eid al-Fiṭr, he is not considered to be the host's dependent and the guest's *fiṭrah* is not the responsibility of the owner of the house.

Ruling 2009. If a person is insane at the time of sunset on the eve of Eid al-Fiṭr and his insanity continues until the time for *ẓuhr* prayers on the day Eid al-Fiṭr, *zakāt al-fiṭrah* is not obligatory on him; otherwise, based on obligatory precaution, it is necessary for him to give *fiṭrah*.

Ruling 2010. If before sunset a child becomes *bāligh*, or an insane person becomes sane, or a poor person becomes rich, and if that person meets the conditions that make it obligatory on one to give *fiṭrah*, he must give *fiṭrah*.

Ruling 2011. If at the time of sunset on the eve of Eid al-Fiṭr a person does not meet the conditions that make it obligatory on him to give *fiṭrah* but before the time for *ẓuhr* prayers on the day of Eid he does meet the conditions, then the obligatory precaution is that he must give *fiṭrah*.

Ruling 2012. If a disbeliever becomes Muslim after sunset on the eve of Eid al-Fiṭr, it is not obligatory on him to give *zakāt al-fiṭrah*. However, if a Muslim who was not a Shia becomes a Shia after the moon is sighted, he must give *fiṭrah*.

Ruling 2013. If someone possesses only one *ṣāʿ* of wheat and suchlike, it is recommended that he gives *zakāt al-fiṭrah*. In the event that he has dependents and wants to give their *fiṭrah* as well, he can give that one *ṣāʿ* to one of them with the intention of giving *fiṭrah*, and the recipient can in turn give it to another dependent with the same intention, and so on until it reaches the last person. And it is better that the last recipient gives the item to someone who is not a member of their family. If one of them is a minor (*ṣaghīr*) or insane, his guardian (*walī*) can take it on his behalf. And the recommended precaution is that the guardian should not take it with the intention of taking it for the minor or insane person but rather for himself.

Ruling 2014. If after sunset on the eve of Eid al-Fiṭr a woman gives birth to a child, it is not obligatory to give *fiṭrah* for the child. However, if before sunset a woman gives birth or marries and the mother or wife are considered to be dependents of the father or husband, then he must give their *fiṭrah*; but if they are dependents of someone else,

then it is not obligatory on him; and if they are not dependents of anyone, then the *fiṭrah* of the woman is obligatory on herself and there is no obligation to give *fiṭrah* for the child.

Ruling 2015. If a person is a dependent of someone and before sunset he becomes a dependent of someone else, his *fiṭrah* is obligatory on the person of whom he became a dependent. For example, if a girl moves to her husband's house before sunset, her husband must give her *fiṭrah*.

Ruling 2016. A person whose *fiṭrah* is obligatory on another person is not obligated to give his *fiṭrah* himself. However, if the other person does not or cannot give his *fiṭrah*, then based on precaution, it becomes obligatory on him to give his own *fiṭrah* provided that the conditions mentioned in Ruling 2003 are fulfilled.

Ruling 2017. If a person whose *fiṭrah* is obligatory on another person gives his own *fiṭrah*, the obligation on the one who must give it is not exempted.

Ruling 2018. A person who is not a *sayyid* cannot give *fiṭrah* to a *sayyid*, and even if that *sayyid* is his dependent, he cannot give that *sayyid's* *fiṭrah* to another *sayyid*.

Ruling 2019. The *fiṭrah* of a child who is breastfed by its mother or a wet nurse is obligatory on the person who pays for the living expenses of the mother or the wet nurse. However, if the mother or the wet nurse takes her living expenses from the child's property, then the *fiṭrah* of that child is not obligatory on anyone.

Ruling 2020. Even if a person pays for the living expenses of his dependents with property that he has acquired unlawfully, he must give their *fiṭrah* from property that he has acquired lawfully.

Ruling 2021. If a person hires someone like a builder, carpenter, or a servant, and pays for his living expenses in a manner that the hired person is considered to be his dependent, he must give the hired person's *fiṭrah* as well. However, if he only pays him for his work, then it is not obligatory on him to give his *fiṭrah*.

Ruling 2022. If a person dies before sunset on the eve of Eid al-Fiṭr, it is not obligatory to give his and his dependents' *fiṭrah* from his estate. However, if a person dies after sunset, then based on the well-known (*mashhūr*) juristic opinion, his and his dependents' *fiṭrah* must be given from his estate. However, this is problematic, and the necessity of observing precaution must not be abandoned [i.e. based on obligatory precaution, *fiṭrah* must be given from his estate].

DISTRIBUTION OF ZAKĀT AL-FIṬRAH

Ruling 2023. Based on obligatory precaution, *zakāt al-fiṭrah* must only be given to the poor, and this means poor Shias who satisfy the criteria mentioned previously regarding those who are entitled to receive zakat.¹⁴ In the event that there are no poor Shias in one's town, he can give it to other Muslims who are poor, but in any case, *fiṭrah* must not be given to a *nāṣibī*.¹⁵

Ruling 2024. If a Shia child is poor, one can spend *fiṭrah* on him or make it his property by entrusting it to his guardian.

Ruling 2025. It is not necessary that the poor person to whom *fiṭrah* is given be a just person (*ādil*); however, the obligatory precaution is that *fiṭrah* must not be given to someone who consumes alcohol, or does not perform prayers, or publicly commits sins.

Ruling 2026. *Fiṭrah* must not be given to someone who spends it for sinful purposes.

Ruling 2027. The recommended precaution is that a poor person should not be given *fiṭrah* that is less than one *ṣā'* unless the total amount of *fiṭrah* is not sufficient for all the poor people. However, there is no problem if more than one *ṣā'* is given.

Ruling 2028. If a person gives half a *ṣā'* of an item on account of it being double the price – for example, if a particular type of wheat is

¹⁴ See Ruling 1957 and onwards.

¹⁵ In Ruling 103, *nawāṣib* (pl. of *nāṣibī*) are defined as 'those who show enmity towards the Imams (A)'.

double the price of ordinary wheat and one gives only half a *ṣāʿ* – it is not sufficient. In fact, even if he gives it with the intention of paying the value of the *fiṭrah*, it is not sufficient.

Ruling 2029. A person cannot give as *fiṭrah* half a *ṣāʿ* of one item, such as wheat, and half a *ṣāʿ* of another item, such as barley. In fact, even if he gives it with the intention of paying the value of the *fiṭrah*, it is not sufficient.

Ruling 2030. It is recommended that in giving *zakāt al-fiṭrah* one should prefer his poor relatives and neighbours over others, and it is befitting that he also gives preference to learned, religious, and virtuous persons over others.

Ruling 2031. If a person gives *fiṭrah* to someone thinking that he is poor but later realises that he was not poor, in the event that the item he gave him has not perished, he must take it back and give it to someone who is entitled to receive it; and if he is unable to take it back, he must replace the *fiṭrah* from his own property; and if the item has perished, in the event that the beneficiary knew the item was given as *fiṭrah*, the beneficiary must replace it; however, if the beneficiary did not know, then replacing it is not obligatory on him and the benefactor must replace it.

Ruling 2032. A person cannot give *fiṭrah* to someone who says he is poor unless he is confident that what he says is the truth or he knows that he was poor previously.

MISCELLANEOUS RULINGS ON ZAKĀT AL-FIṬRAH

Ruling 2033. A person must give *zakāt al-fiṭrah* with the intention of *qurbah* – i.e. in humility to the Lord of the worlds – and he must make the intention of giving *fiṭrah* at the time of giving it.

Ruling 2034. It is not permitted for one to give *fiṭrah* before the month of Ramadan, and it is better that he does not give it during the month of Ramadan either. However, there is no problem if one gives a loan to a poor person before Ramadan and then counts the loan as *fiṭrah*

once *fiṭrah* has become obligatory on him.

Ruling 2035. Wheat or any other thing that a person gives as *fiṭrah* must not be mixed with soil or any other thing. In the event that it is mixed and the item itself is equal to one *ṣāʿ* and it is usable without having to separate it from the other thing, or if separating it does not require extraordinary effort, or the amount that has been mixed is negligible, then there is no problem.

Ruling 2036. If a person gives *fiṭrah* from a defective thing, then based on obligatory precaution it is not sufficient.

Ruling 2037. If a person gives *fiṭrah* on behalf of a number of persons, it is not necessary for him to give it all from the same item. For example, it is sufficient if he gives the *fiṭrah* of some in wheat and the *fiṭrah* of others in barley.

Ruling 2038. If a person performs Eid prayers, then based on obligatory precaution he must give *fiṭrah* before Eid prayers. However, if he does not perform Eid prayers, then he can delay giving *fiṭrah* until the time of *ẓuhr* prayers [on the day of Eid al-Fiṭr].

Ruling 2039. If a person puts aside some of his property with the intention of *fiṭrah* but does not give it to someone who is entitled to receive it until the time of *ẓuhr* prayers on the day of Eid al-Fiṭr, he must make the intention of *fiṭrah* whenever he gives it, and there is no problem if there was a rationally acceptable reason for the delay.

Ruling 2040. If a person does not give *fiṭrah* until the time of *ẓuhr* prayers on the day Eid al-Fiṭr and does not set it aside either, then based on obligatory precaution, he must give *fiṭrah* afterwards without making the intention of giving it within its prescribed time (*adāʾ*) or belatedly (*qaḍāʾ*).

Ruling 2041. If a person sets aside *fiṭrah*, he cannot take it for his own use and replace it with something else.

Ruling 2042. If a person possesses something that has a value greater than *fiṭrah*, in the event that he does not give *fiṭrah* and makes the

intention that some of that item is for *fiṭrah*, then based on obligatory precaution, this is not sufficient.

Ruling 2043. If the property that one has set aside for *fiṭrah* perishes, in the event that he had access to a poor person but delayed in giving the *fiṭrah*, or he was negligent in looking after it, he must replace it. However, if he did not have access to a poor person and he was not negligent in looking after it, then he is not responsible for it.

Ruling 2044. If a person entitled to receive *fiṭrah* is found in one's area, the obligatory precaution is that he must not transfer the *fiṭrah* to another place. However, if he does transfer it and delivers it to someone who is entitled to receive it, it is sufficient; but if he transfers it to another place and it perishes, he must replace it.

CHAPTER NINE

Hajj

Ruling 2045. Hajj means visiting the House of Allah [the Ka'bah in Mecca] and performing the prescribed rituals there. It is obligatory (*wājib*) on someone who fulfils the following conditions to perform hajj once in his lifetime:

1. being of the age of legal responsibility (*bāligh*);
2. being sane (*‘āqil*) and a free person;
3. on account of going for hajj, one must not be compelled to commit an unlawful (*ḥarām*) act which is more important to avoid than performing hajj; nor must he be compelled to abandon an obligatory act which is more important than performing hajj. However, if such a situation transpires and he goes for hajj, his hajj is valid (*ṣaḥīḥ*) although he will have committed a sin;
4. being able (*mustaṭī‘*). This is determined by the following criteria:
 - a. he must possess the provisions, and – in the event that he requires it – the means of transportation for the journey; or, he must have the wealth to procure them;
 - b. he must be healthy and able to travel to Mecca and perform hajj without it causing him excessive difficulty (*mashaqqah*). This condition is a requirement for the obligation of hajj when a person is performing it himself; as for someone who has the financial capacity but not the physical ability to perform it himself, or performing it himself would cause him hardship (*ḥaraj*) and he is not hopeful of his physical condition improving, such a person must appoint a representative (*nā’ib*) [to perform hajj on his behalf];
 - c. during any stage of his journey, there must not be an obstruction to going further; and if the route is closed, or, if a person fears that he will lose his life or honour on the journey, or that his property will be taken, then it is not obligatory on him to perform hajj. However, if he is able to go by another route, he must do so even if it is a longer route, unless that route is so much longer and so unusual that it can be said the road for hajj is closed;
 - d. he must have sufficient time to perform the rituals of hajj;
 - e. he must be able to meet the living expenses of those

whose maintenance is obligatory on him, such as his wife and children, and those who, if he were to stop spending on them, it would cause him hardship;

- f. upon returning, he must have a business, a farm, an income from a property, or some other means of earning his livelihood, i.e. it must not be such that because of the expenses he incurs for hajj, when he comes back he is compelled to live in difficulty.

Ruling 2046. With regard to someone who on account of not owning a house experiences hardship, hajj only becomes obligatory on him when he has money for a house as well.

Ruling 2047. With regard to a woman who is able to go to Mecca, if upon her return she will not possess any wealth and her husband is, for example, a poor person who does not meet her living expenses, and if therefore she would have to live in difficulty, then it is not obligatory on her to go for hajj.

Ruling 2048. If someone does not possess the provisions and the means of transportation for the journey, and if someone else tells him to go for hajj and that he will pay for his living expenses and the living expenses of his dependants during his trip for hajj, then, in the event that he is confident (i.e. he has *iṭmi'nān*) that the person will pay for his expenses, hajj is obligatory on him.

Ruling 2049. If so that a person can perform hajj some people gift him the expenses for going to and returning from Mecca, and they also gift him the living expenses of his dependants during the time he is on his journey to Mecca, then hajj is obligatory on him even if he has a debt to pay off and even if he does not possess wealth that he can live on upon his return. However, if the journey for hajj falls on the days when he earns a living, and were he to go for hajj he would not be able to repay his debt on time, or he would not be able to pay for his living expenses for the rest of the year, then hajj is not obligatory on him.

Ruling 2050. If some people provide one's travel expenses and the living expenses of his dependants for the period he is in Mecca,

and they tell him to go for hajj but the money will not be his own, [rather, it will only be permissible for him to use it,] then, in the event that he is confident that they will not take it back from him, hajj is obligatory on him.

Ruling 2051. If some people provide someone with an amount of money that is sufficient for performing hajj, but they make it a condition that during the journey to Mecca he serves someone who is giving him the money, hajj is not obligatory on him.

Ruling 2052. If some people gift an amount of money to someone, making hajj obligatory on him, in the event that he performs hajj and he later acquires wealth himself, hajj is not obligatory on him again.

Ruling 2053. If a person goes on a business trip to Jeddah, for example, and there he acquires some wealth that would enable him to go to Mecca if he wanted to go there, he must go for hajj. And in the event that he performs hajj and he later acquires wealth that enables him to go to Mecca from his home town (*waṭan*), hajj is not obligatory on him again.

Ruling 2054. If a person is hired to personally go for hajj on behalf of another person, in the event that he is unable to go himself and wants to send someone else on his behalf, he must obtain permission from the person who hired him.

Ruling 2055. If someone becomes able to go to Mecca but does not reach the plains of 'Arafāt and Mash'ar al-Ḥarām at the prescribed time, in the event that he is unable to go for hajj in subsequent years, hajj will not be obligatory on him. However, if for some years he was able to go but did not, then he must go for hajj even if it entails difficulty.

Ruling 2056. If a person who has become able does not go for hajj, and afterwards due to old age, illness, or incapacitation he is unable to perform hajj or it entails hardship, and if he loses hope in being able to perform hajj himself in subsequent years, then he must send someone to perform hajj on his behalf; and if in subsequent years he is able to perform hajj himself, he must do so. The same applies if a

person cannot perform hajj due to old age, illness, or incapacitation in the first year that he acquires a sufficient amount of wealth for performing hajj, and he loses hope in being able to perform it in subsequent years. And in all of these cases, the recommended precaution (*al-iḥtiyāt al-mustaḥabb*) is that if the person being represented (*manūbun ‘anhu*) is a man, then the representative (*nā’ib*) should be someone who will go for hajj for the first time (*ṣarūrah*).

Ruling 2057. A person who has been hired to perform hajj on behalf of someone else must perform *ṭawāf al-nisā’*¹ on behalf of that other person, and if he does not, then sexual relations are unlawful for the person who has been hired.

Ruling 2058. If a person does not perform *ṭawāf al-nisā’* correctly or forgets to perform it, in the event that he remembers this after a few days, comes back, and performs it, it is valid. However, in the event that returning causes him excessive difficulty, he can appoint a representative [to perform it on his behalf].

¹ This is an obligatory circumambulation (*ṭawāf*) of the Ka’bah that is performed as part of the hajj rituals.

Appendix: Table of Weights and Measures

Weight/Measure	Explanation
<i>dhirāʿ</i>	cubit i.e. the length from the elbow to the tip of the middle finger of the hand, equivalent to approximately 46 centimetres
<i>farsakh</i>	measure of distance equivalent to approximately 5.5 kilometres, or 3.4 miles
<i>kurr</i>	quantity of water greater or equal to approximately 384 litres
<i>al-mithqāl al-ṣayrafī</i>	common <i>mithqāl</i> i.e. a measure of weight equivalent to approximately 4.68 grams
<i>al-mithqāl al-sharʿī</i>	legal <i>mithqāl</i> i.e. a measure of weight equivalent to approximately 3.51 grams
<i>mudd</i>	measure of weight equivalent to approximately 750 grams
<i>nukhud</i>	measure of weight equivalent to approximately 0.195 grams
<i>ṣāʿ</i>	measure of weight equivalent to approximately 2.823 kilograms

Glossary

- adā'* accomplishment of a religious duty within its prescribed time, as opposed to *qadā'*
- adhān* call to prayer
- ādil* a just person
- ahd* covenant
- aḥkām* (pl. of *ḥukm*) laws; rules
- ahl al-khibrah* expert(s)
- ahl al-kitāb* People of the Book i.e. Jews, Christians, and Zoroastrians
- a'lam* the most learned *mujtahid* i.e. the *mujtahid* who is most capable of understanding the law of Allah from among all the *mujtahids* of his time
- alaqah* clot of blood
- a'māl* acts; rituals of worship
- a'māl Umm Dāwūd* a recommended set of ritual acts of worship that are usually performed in the middle of the month of Rajab
- amdan* intentionally
- al-amr bil-ma'rūf* enjoining good
- anfāl* property belonging to the Imam ('A)
- aqd al-mu'āwadah* contract of exchange; a contract in which something is given in exchange for something else
- āqil* sane
- aqwā* stronger opinion (for practical purposes, where an opinion is stated to be stronger, a fatwa is being given)
- arkān* (pl. of *rukn*) elemental components of an act of worship
- aṣr* afternoon
- awwal al-waqt* start of the prescribed time for prayers
- ayn al-najāsah* intrinsic impurity; actual source of impurity
- ba'id* farfetched; unlikely (for practical purposes, a legal opinion that is termed 'not farfetched' equates to a fatwa)
- bāligh* someone who is of the age of legal responsibility; a major
- bāṭil* (1) invalid (2) void
- bulūgh* age of legal responsibility
- dafn* burial
- dhabh* slaughtering of an animal according to Islamic law
- dhikr* (1) remembering Allah (2) declaring in *rukū'* and *sujūd* that Allah is free from imperfections
- dhimmi* People of the Book (*ahl al-kitāb*) – i.e. Jews, Christians, and Zoroastrians – who have entered into a *dhimma* treaty i.e. an agreement that gives them rights as protected subjects in an Islamic state
- diyah* blood money
- du'ā'* supplication
- faqīh* (sing. of *fuqahā'*) jurist
- faqīr* a poor person i.e. someone who does not possess the means to meet his and his family's expenses for one year
- fatwa* religious verdict issued by a *mujtahid*
- fidyah* compensative payment of one *mudd* (approximately 750 grams) of

staple food to a poor person for a fast of Ramadan that is missed under certain circumstances

fiqh Islamic jurisprudence

fuqahā' (pl. of *faqih*) jurists

fuqqā' beer

furādā performing an act of worship on one's own, as opposed to in *jamā'ah*

ghanā'im (pl. of *ghanimah*) spoils of war
ghanimah (sing. of *ghanā'im*) spoil of war

ghaṣbī usurped

ghasl washing

ghaybah occultation

ghusl ritual bathing

al-ghusl al-irtimāsī immersive ritual bathing

al-ghusl al-irtimāsī al-daf'ī instantaneous immersive ritual bathing

al-ghusl al-irtimāsī al-tadrijī gradual immersive ritual bathing

ghusl mass al-mayyit *ghusl* for touching a corpse

al-ghusl al-tartibī sequential ritual bathing

ḥadath occurrence i.e. something that invalidates *wuḍū'*

al-ḥadath al-akbar major occurrence i.e. something that requires one to perform *ghusl* in order to perform an act of worship that requires *wuḍū'*

al-ḥadath al-aṣghar minor occurrence i.e. something that requires one to perform *wuḍū'* in order to engage in an act of worship that requires *wuḍū'*

ḥadd al-tarakkhūṣ permitted limit

ḥā'id a woman in menstruation

ḥā'ir an area of approximately 11.5 metres around the sacred grave of Imam al-Ḥusayn ('A) in Karbalā'

hajj visiting the House of Allah i.e. the Ka'bah in Mecca, and performing the prescribed rituals there

hajj al-ifrād a type of pilgrimage to Mecca performed by Muslims who reside within 88 kilometres of Mecca; also see *hajj al-qirān*

hajjat al-islām the hajj that is obligatory on a Muslim to perform once in his lifetime as a fundamental precept of the religion, as opposed to a hajj that is obligatory on a Muslim by means of a vow and suchlike

hajj al-qirān a type of pilgrimage to Mecca performed by Muslims who reside within 88 kilometres of Mecca; also see *hajj al-ifrād*

hajj al-tamattu' pilgrimage to Mecca performed by Muslims who reside further than 88 kilometres from Mecca

al-ḥākim al-jā'ir unjust ruler

al-ḥākim al-shar'ī fully qualified jurist
ḥalāl lawful

ḥalq shaving of the head performed by men as part of the hajj rituals

ḥaraj hardship

ḥaram (1) shrine (2) sacred precinct

ḥarām unlawful

hawzah Islamic seminary

ḥayḍ menstruation; period

al-hujjah al-shar'iyyah legally authoritative; legal proof

ḥukm (sing. of *aḥkām*) law; rule

al-ḥukm al-shar'ī religious law

ḥulūl immanence

- ḥusayniyyah* congregation hall for Shia ceremonies
- ‘*ibādah* (sing. of ‘*ibādāt*) ritual act of worship
- ‘*ibādāt* (pl. of ‘*ibādah*) ritual acts of worship
- ibn al-sabīl* a stranded traveller
- ‘*iddah* prescribed waiting period for a woman before she can remarry
- iftār* breaking a fast
- ihrām* state of ritual consecration of pilgrims during hajj
- iḥtiyāt* precaution
- al-iḥtiyāt al-lāzim* necessary precaution (this refers to the same thing as *al-iḥtiyāt al-wājib*)
- al-iḥtiyāt al-mustaḥabb* recommended precaution
- al-iḥtiyāt al-wājib* obligatory precaution
- ijārah* hiring
- ijtihād* (1) the process of deriving Islamic laws from authentic sources (2) the level of someone who is a jurist
- ikhfāt* whispering the recitation (*qirā’ah*) of prayers, as opposed to pronouncing it aloud (*jahr*)
- al-‘ilm al-ijmālī* non-specific knowledge
- imāmah* religious leadership
- inqilāb* change
- intiqāl* transfer
- iqāmah* call to stand up for prayer
- iqrār* avowal
- ‘*ishā*’ evening
- istibrā’* (1) process of clearing the male urethra of urine after urinating (2) quarantine (of an excrement eating animal) (3) method of checking whether or not menstruation has stopped
- istiḥādah* irregular blood discharge
- al-istiḥādah al-kathīrah* excessive irregular blood discharge
- al-istiḥādah al-mutawassiṭah* medium irregular blood discharge
- al-istiḥādah al-qalilah* slight irregular blood discharge
- istiḥālah* transformation
- istiḥārī* a ritual act of worship that a person is hired to perform on behalf of someone else
- istikhārah* the practice of seeking from Allah the best choice between two or more options
- istinjā’* purification of the anus and the urinary outlet
- istisqā’* invocation for rain
- Ithnā ‘Asharī* Twelver
- i’tikāf* spiritual retreat; the act of staying in a mosque under particular conditions with the intention of worshipping Allah
- iṭmi’nān* confidence
- jabīrah* something with which a wound or a break in a bone is bandaged, or the medication that is applied to a wound
- al-jāhil al-muqaṣṣir* culpably ignorant person
- al-jāhil al-qāṣir* inculpably ignorant person
- al-jahl al-quṣūrī* inculpable ignorance
- al-jahl al-taqṣīrī* culpable ignorance
- jahr* pronouncing the recitation (*qirā’ah*) of prayers aloud, as opposed to whispering it (*ikhfāt*)
- jā’iz* permitted

jamā'ah congregation
janābah ritual impurity
junub someone in the state of *janābah*

kafan shroud
kaffārah recompense
kāfir (sing. of *kuffār*) disbeliever
al-kāfir al-harbī a disbeliever who is not
 a *dhimmi* and has not entered into
 any peace or security treaty with
 Muslims

kathīr al-safar frequent traveller
kathīr al-shakk excessive doubter
khul' a divorce that takes place at the
 insistence of a wife and in which she
 pays an agreed sum to her husband

khums the one-fifth tax
kuffār (pl. of *kāfir*) disbelievers
kufr disbelief
al-kullī fī al-dhimmah non-specified
 undertaking

kunyah an honorific name as the father
 or mother of someone; a patronymic
 or metronymic

laqab epithet; title

madhhab religious denomination
madhī fluid that sometimes comes out
 of the penis as a result of sexual
 arousal

ma'dhūr someone who is legally ex-
 cused

mā fī al-dhimmah intention to fulfil
 whatever one's obligation happens
 to be with regard to a particular act

maghrib time of sunset

maḥall al-ishkāl problematic (for prac-
 tical purposes, if a matter is said to

be 'problematic' it amounts to say-
 ing the ruling is based on obligatory
 precaution)

maḥall al-ta'ammul a matter of delib-
 eration (for practical purposes, if a
 matter is said to be a 'matter of delib-
 eration' it amounts to saying the rul-
 ing is based on obligatory precaution)

mahr dowry

maḥram someone whom a person is
 never permitted to marry on account
 of being related to them in a particu-
 lar way; for example, by being their
 parent or sibling

makrūh disapproved

ma'mūm follower of an imam in congre-
 gational prayers

manūbun 'anhu someone who is rep-
 resented

marja' a jurist who has the necessary
 qualifications to be followed in mat-
 ters of Islamic jurisprudence

masā'il (pl. of *mas'alah*) rulings

mas'alah (sing. of *masā'il*) ruling

mash wiping

mashaqqah excessive difficulty

mashhūr well-known (used with regard
 to a juristic opinion)

mashrū' sanctioned in Islamic law

mashrū'iyah legality

al-masjid al-jāmi' a mosque that is not
 particular to a specific group of peo-
 ple but is frequented by people from
 different areas of the city

ma'sūmīn Infallibles

mihrāb niche, chamber, or slab in a
 mosque facing the direction of Mecca
 and where the imam usually stands
 for congregational prayers

- miskīn* a needy person; someone whose living conditions are worse than that of a poor person (*faqīr*)
- mu'āhid* a cosignatory with Muslims to a peace or security treaty
- mu'arid* countervailing argument
- mu'āwadah* exchange
- mubāh* (1) permissible (2) not usurped
- mubāhalah* mutual imprecation
- al-mubāhāt al-aṣliyyah* property that does not belong to anyone in particular and can be used by people in general
- muṭṭadi'ah* a menarcheal woman i.e. a woman who has her period for the first time
- muṭtilāt* things that invalidate
- muḍāf* mixed water
- muḍārabah* silent partnership
- muḍghah* embryo
- muḍṭaribah* a woman with a disordered menstruation habit
- muḥtaḍar* a dying person; moribund
- muḥtālīm* someone who has had a 'wet dream' i.e. semen has been ejaculated in his sleep
- muḥtaram al-māl* someone whose property is inviolable i.e. a Muslim, or a *dhimmī* disbeliever, or a cosignatory with Muslims to a peace or security treaty (*mu'āhid*)
- muḥāḍalah* disputing with others
- muḥtahid* jurist; someone who has attained the level of *ijtihād*, qualifying him to be an authority in Islamic law
- mukallaḥ* someone who is legally obliged to fulfil religious duties; duty-bound
- mumārah* altercating with others
- mumayyiz* someone who is able to discern between right and wrong; a discerning minor
- muqallid* a follower of a jurist in matters of Islamic law
- muṣālahah* arriving at a settlement with someone
- mushā'* joint ownership
- muṣtaḥabb* recommended
- muṣtaḥāḍah* a woman who is experiencing *istiḥāḍah*
- muṣtaḥiqq* (sing. of *muṣtaḥiqqūn*) a person who is entitled (mostly used with regard to someone who is entitled to receive *khums* or *zakat*)
- muṣtaḥiqqūn* (pl. of *muṣtaḥiqq*) those who are entitled (mostly used with regard to persons who are entitled to receive *khums* or *zakat*)
- muṣtaṭī'* someone who is able to go for *hajj*
- mut'ah* fixed-term marriage
- muṭahhirāt* things that purify an impure object
- mu'takif* someone who is in the act of performing *i'tikāf*
- mutanajjis* something that has become impure by secondary means, as opposed to being an intrinsic impurity ('*ayn al-najāsah*)
- muṭlaq* unmixed water
- muwālāh* close succession
- muwaswis* an obsessively doubtful person
- nadhr* vow
- nafaqah* maintenance; alimony
- nāfilah* the supererogatory prayer
- naḥr* slaughtering of a camel according

to Islamic law
al-nahy 'an *al-munkar* forbidding evil
nā'ib representative
najāsah (sing. of *najāsāt*) an impurity
najāsāt (pl. of *najāsah*) impurities
najis impure
nāṣibī (sing. of *nawāṣib*) someone who shows enmity towards the Imams ('A)
nāsiyah a woman who has forgotten the habit of her period
nawāṣib (pl. of *nāṣibī*) those who show enmity towards the Imams ('A)
al-nāzir al-muhtaram 'a respected on-looker' i.e. someone who is sane (*ʿāqil*), able to discern between right and wrong (*mumayyiz*), of the age of legal responsibility (*bāligh*), and not married to the person being seen
nifās lochia i.e. blood discharge after childbirth
niṣāb taxable limit
niyābah doing something on behalf of someone else; by proxy
niyyah intention
nufasā' a woman who is experiencing *nifās*
qaḍā' (1) making up a religious duty that was not performed in its prescribed time, as opposed to *adā'* (2) a lapsed ritual act of worship
qalīl water that does not gush from the earth and is less than *kurr*
qasam oath
qaṣd intention
qaṣd al-qurbah intention to attain proximity to Allah
qaṣd al-qurbah al-muṭlaqah a general intention to attain proximity to Allah

i.e. an intention to perform a ritual act of worship in order to attain proximity to Allah without specifying any particulars about that act
qaṣr shortened prayers of a traveller
qibla direction towards the Ka'bah in Mecca
qirā'ah recitation
qiyām standing position in prayers
qunūt supplication recited in prayers with the hands placed in front of the face
qur'ah drawing lots
radd al-maḥālim giving back property – which has been unrightfully or unknowingly taken – to its rightful owner, or if that is not possible, to the poor as *ṣadaqah* on behalf of the rightful owner
rajā' intention to perform an act in the hope that it is desired by Allah
rak'ah a unit of the prayer
risālah manual of Islamic rulings
rūḥ spirit
rujū' (1) acting on the fatwa of the next most learned *muṭtahid* when one's *marja'* has stated that a ruling is based on obligatory precaution (2) returning (used to refer to a condition made in *i'tikāf* to leave in the middle of it if a problem arises)
rukn (sing. of *arkān*) elemental component of an act of worship
rukū' bowing position in the prayer
ṣadaqah alms given to the poor; charity
ṣaghīr a minor; a child who is not of the age of legal responsibility (*bāligh*)

- ṣaḥīḥ* (1) valid (2) correct (3) permitted
- sahm al-imām* portion of khums for the Imam ('A)
- sahm al-sādāt* portion of khums for sayyids
- sahwan* inadvertently
- sahwiyyāt* acts that are inadvertently left out in prayers
- sajdah* prostration
- sajdat al-sahw* prostration for inadvertence
- sajdat al-shukr* prostration for offering thanks
- ṣalāh* prayer; ritual prayer
- salām* salutation
- ṣalāt al-āyāt* prayer of signs
- ṣalāt al-ghufaylah* a recommended prayer that is performed between *maghrib* and '*ishā*' prayers
- ṣalāt al-iḥtiyāt* precautionary prayer
- ṣalāt al-istisqā'* prayer for invoking rain
- ṣalāt Ja'far al-Ṭayyār* the Prayer of Ja'far al-Ṭayyār; a four rak'ah recommended prayer taught by the Holy Prophet (S) to his cousin, Ja'far al-Ṭayyār
- ṣalāt al-jamā'ah* congregational prayers
- ṣalāt al-jumu'ah*
the Friday prayer
- ṣalāt al-layl* the night prayer; also known as '*ṣalāt al-tahajjud*' (the night vigil prayer)
- ṣalāt al-mayyit* funeral prayer
- ṣalāt al-waḥshah* prayer of loneliness (in the grave)
- ṣalawāt* (1) invocation of blessings upon Prophet Muḥammad (S) and his progeny (2) pl. of *ṣalāh*
- ṣarūrah* someone going for hajj for the first time
- ṣawm* fasting
- sa'y* hajj ritual of traversing to and from the mountains of Ṣafā and Marwah
- sayyid* a male descendant of Hashim, the great grandfather of Prophet Muḥammad (S)
- sayyidah* a female descendant of Hashim, the great grandfather of Prophet Muḥammad (S)
- shahādātayn* the two testimonies i.e. the testimony to the oneness of Allah and to the prophethood of Prophet Muḥammad (S)
- shākhiṣ* an indicator, such as an upright-standing rod, used to determine the timing of certain prayers by examining the length of its shadow
- shakhṣī* specified (used with regard to purchases)
- shakk* doubt
- shakkiyyāt* doubts that arise in prayers
- shar'an* legally
- al-sharṭ al-wāqi'i* condition of occurrence
- ṣubḥ* morning
- sujūd* prostrating
- surah* chapter of the Qur'an
- taba'iyyah* subsequence
- ṭahārah* (1) purification (2) being in a state of ritual purity i.e. having *wuḍū'*, *ghusl*, or *tayammum*
- ṭāhir* pure
- ṭahnīt* camphorating
- tajwid* the discipline of reciting the Qur'an correctly
- takbīr* proclamation of Allah's greatness by saying '*allāhu akbar*'
- takbīrat al-iḥrām* saying '*allāhu akbar*' at

- the beginning of the prayer
takfīn shrouding
taklīf responsibility
al-talāq al-rij'ī revocable divorce
talqīn inculcation of principle beliefs to a dying person or to a corpse
tamām complete form of the prayer
ta'qībāt supplications after prayers
taqiyyah discretionary concealment of one's beliefs under duress
taqlid following a jurist
taqwā God-wariness
tartīb sequence
al-tasbīhāt al-arba'ah the four glorifications i.e. 'subhānal lāhi wal ḥamdu lillāhi wa lā ilāha illal lāhu wal lāhu akbar'
tashahhud testifying
tashyī' *al-janāzah* funeral procession
ta'sīb a matter of inheritance that is common among Sunni Muslims but invalid from a Shia perspective
tawāf circumambulation of the Ka'bah
tawāf al-nisā' an obligatory circumambulation of the Ka'bah that is performed as part of the hajj rituals
tayammum dry ablution
turbah a piece of earth or clay on which one places his forehead when prostrating
'udhr legitimate excuse
'umrah pilgrimage to Mecca that has fewer rituals than the hajj pilgrimage; the minor pilgrimage
uṣūl al-dīn fundamentals of religion
uṣūl al-fiqh principles of jurisprudence
wadhī fluid that sometimes comes out of the penis after the ejaculation of semen
wadī fluid that sometimes comes out of the penis after urinating
wājib obligatory
al-wājib al-'aynī individual obligation i.e. an obligation that every duty-bound person must perform irrespective of whether or not others have also performed it
al-wājib al-fawrī immediate obligation i.e. an obligation that must be performed as soon as it possible to do so, and delaying its performance is not permitted
al-wājib al-kifā'ī collective obligation i.e. an act of worship that is obligatory on all duty-bound persons in the first instance but is lifted from them all if it is discharged by someone or by some people
al-wājib al-mu'ayyan assigned obligation; time-specific obligation i.e. an act of worship that must be performed at one distinct time
al-wājib al-takhyīrī optional obligation i.e. an act of worship for which a *mukallaf* has the choice to either perform that act itself or some other particular act
al-wājib al-ta'yīnī fixed obligation i.e. an act of worship for which there is no alternative act that a *mukallaf* could perform instead
wakīl agent; representative
walī guardian
waqf charitable endowment
waqt al-faḍīlah prime time for performing prayers i.e. the early period of

- the prescribed time for a prayer in which there is more reward for performing it
- waṣī* executor of the bequest of a deceased person
- waṭan* home town
- wikālah* agency
- wilāyah* (1) guardianship (2) vicegerency
- wuḍū'* ablution
- al-wuḍū' al-irtimāsī* immersive ablution
- yaqīn* certainty
- yawm al-shakk* day of doubt i.e. the day regarding which someone doubts whether it is the last day of Sha'bān or the first day of Ramadan
- ẓāhir* apparent ruling (for practical purposes in jurisprudential rulings, expressing an apparent ruling equates to giving a fatwa)
- zakaṭ* alms tax
- zakāt al-fiṭrah* *fiṭrah* alms tax
- ẓann* supposition; conjecture
- zawāl* the time after midday when the sun begins to decline
- ziyārah* visitation to the place of burial of a holy personality or to a holy place
- ẓuhr* midday
- al-ẓuhr al-shar'ī* legal midday i.e. after the midway point of the day

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The following is a list of some of the works on Islamic law by His Eminence al-Sayyid Ali al-Husayni al-Sistani which were consulted during the course of this translation.

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